

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30680 of 2020

Arising Out of PS. Case No.-64 Year-2019 Thana- MAHILA PS District- East Champaran

Amrendra Kumar Singh, aged about 30 years (Male), Son of Krishna Singh,
Resident of Village- Harihara, PS- Shikarganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Kumari, Daughter of Ramjee Singh, Resident of Village- Jasauli Patti, Tola Mahuara, PS- Kotwa, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Kumar Singh, Advocate
For the State	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 30-01-2021

Heard Mr. Brajesh Kumar Singh, learned counsel for the petitioner and Mr. Madan Kumar, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner apprehends arrest in connection with Mahila PS Case No. 64 of 2019 dated 04.11.2019, instituted under Sections 341/342/323/504/307/498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

3. The allegation against the petitioner, who is the husband of the informant, is that her father could not fulfill the demand of one Alto car but had given Rs. 1 lakhs more to the accused persons and after one week in the matrimonial home, the



accused started committing cruelty and torture and also assault and even after *Panchayati*, nothing improved and on 24.10.2019, the accused persons locked the informant in a room and assaulted her brutally and the petitioner is said to have given knife blow on the informant resulting in cut injury on her head and then her father came and saved her.

4. Learned counsel for the petitioner submitted that the allegation is false and in fact, the father of the informant had taken her back with him in front of witnesses and in the agreement, he has clearly written that in future if any case is filed by his daughter i.e., the informant, it would be false and no grievance has been levelled against the petitioner's side.

5. Learned APP submitted that there is direct allegation and the fact that within four months of marriage, the informant had to leave the matrimonial home itself shows that the conduct of the petitioner and his family members was inimical towards her and she was not safe in the house. Further, it was submitted that the injury corroborates the allegation. Learned counsel submitted that the fact that an agreement was executed by the father of the informant clearly indicates that it was under duress as no father would execute an agreement if his newly married daughter is coming to his house i.e., her parents' house. It was further



submitted that in the application itself, the petitioner has taken the stand that there is no question of them living together which clearly indicates that there is fault on his part.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

