

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77848 of 2019**

Arising Out of PS. Case No.-1255 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

KAILASH KUMAR @ KAILASH KUMAR MANDAL Son of Late Arjoon Mandal @ Arjun Mandal Resident of Village - Bajrangbali Nagar, P.O.- Nauagarhi, P.S.- Naya Ramnagar, Distt.- Munger.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mani Kiran D/o Bishnu Mandal , W/o Kailash Kumar Resident of Village - Mohamadpur, P.O.- Nathnagar, P.S.- Madhusudanpur, Distt.- Bhagalpur,

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Md. Shakir Ahmad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Complaint Case No. 1255 of 2017 instituted for the offence under Sections 498A, 323, 379, 307, 120B and 34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

As per allegation in the complaint petition, petitioner along with his family members have assaulted the complainant for non fulfillment of dowry demand.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband and has been falsely



implicated in the case. It is mentioned in para 12 of the petition that petitioner is ready to keep her wife with full honour and dignity but the opposite party no. 2 is not ready to lead the conjugal life with her.

Learned APP has opposed the prayer of bail.

Learned counsel for the informant has submitted that petitioner has filed a divorce case against the informant which shows his intention to not ready to continue the matrimonial life with the informant.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same shall be considered by the court below, without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

sushma/-

U		T	
---	--	---	--

