

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4237 of 2020

Arising Out of PS. Case No.-561 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Jitendra Mahto S/o Raj Kishor Mahto R/o village- Majhriya Jhakhra, P.S.-
Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi W/o Jitendra Mahto R/o Mohalla- Agarwa, P.S.- Nagar
Motihari, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Renuka Ratnakar, APP
For Opp. Party No.2	:	Mr. Vijay Shankar Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

9 25-10-2021 Heard the parties.

The petitioner apprehends his arrest in connection with Trial No. 2993 of 2018 arising out of Complaint Case No. C-561 of 2019 in which cognizance has been taken only under Section 498A of the Indian Penal Code.

It is the contention of the petitioner that complaint petition is false and the petitioner, who is a man of means, has not made any demand of dowry and has not tortured opposite party no.2.

Learned counsel for the opposite party no.2 has filed an affidavit stating therein that she was tortured for demand of dowry and subsequently, petitioner has remarried with another



lady and details of second wife have been mentioned in the counter affidavit.

Since there is specific allegation of torture and demand of dowry against the petitioner, the Court is not inclined to grant anticipatory bail to him. Prayer for anticipatory bail is hereby rejected.

The Principal Judge, Family Court, Motihari is directed to expedite Maintenance Case No.398 of 2019. The Principal Judge is directed to decide the application of pre-maintenance filed by opposite party no. 2 by 30th of November, 2021 after holding day-to-day hearing. Thereafter in case it decides the application for grant of maintenance, it shall take steps for payment of maintenance amount to the opposite party no. 2.

This order is to be transmitted to the Principal Judge, Family Court, Motihari through FAX message and accordingly, compliance report must be sent to this Court by the Principal Judge by 1st of December, 2021.

Put up this case on 1st of December, 2021.

(Sandeep Kumar, J)

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