

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7068 of 2022

Arising Out of PS. Case No.-121 Year-2021 Thana- GORIAKOTHI District- Siwan

Priyanshu Saurabh, Son Of Raghav Prasad R/O Village- Kalyanapur, P.S.-
Goriakothi, District- Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Madhuri Devi, Wife Of Priyanshu Saurabh R/O Village- Pachpakadi, P.S.-
G.B.Nagar, District- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ramchandra Sahni
For the Opposite Party/s :	Mr. Anil Kumar Singh No. 1
	Mr. Prashant Kumar
	Mr. Shashank Shekhar Dubey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 379, 494, 504/ 34 of the Indian Penal Code and Section 3/
4 of the D. P. Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the husband of
the informant and the informant alleges that she was married to
the petitioner in Year 2016 and out of wedlock, a child was
born. Further, accused persons including the petitioner assaulted
her for non-fulfilment of demand as detailed in the F.I.R. and in



2021, she was ousted along with her child from the matrimonial home.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that petitioner has already filed a case at Gurugram under the D. V. Act and on Maintenance Case being MNT 125/73/2020 before the learned District and Sessions Court, Gurugram in which the petitioner has appeared. The learned counsel next submits that petitioner has also filed a Divorce Case No.86 of 2021 in the Court of learned Principal Judge, Family Court, Siwan on 03.03.2021, in which the informant has appeared pursuant to notice. It is thus submitted that cases from both sides have been filed and the parties are litigating. It is also submitted that petitioner has also deposited an amount of Rs.20,000/- in the case filed under D. V. Act at Gurugram.

The learned counsel for the informant as well as learned A.P.P. opposes the bail application and submits that no doubt, cases have been filed from both sides, but then, informant is legally wedded wife of the petitioner and also has a child and she has been ousted from her matrimonial home and presently is in dire need of money and thus, it is not possible for



her to contest so many cases. It is also submitted that the cases at Gurugram was filed as the informant and the petitioner at that point of time were staying there, but now the informant is staying in Siwan with her parents. It is also submitted that she has a child to feed, but the petitioner is not bothered and from perusal of the impugned order, it would manifest that the petitioner though initially in his petition had pleaded that he was willing to keep the informant and the child with honour and dignity, but when the case was taken up, he refused to take back the informant.

Considering the submissions made by the learned counsel for the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

Accordingly, his prayer for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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