

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27755 of 2022**

Arising Out of PS. Case No.-378 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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DEEPAK KUMAR @ DEEPAK KUMAR GUPTA Son of Ashok Kumar
Gupata Resident of Village - Sarsi, P.s.- Sarsi, Distt.- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhu Gupta D/o Pawan Kumar Gupta , W/o Deepak Kumar Resident of Village - and P.O.- Sarsi, P.s.- Sarsi, Distt.- Purnea and I.C.I.C Bank Gurgaon Sector 26 Hariyana at Present resident of Purab bazar Rice Mill ward no. 19 Saharsa, P.s.- and Distt.- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Amarnath Jha, Advocate
For the Opposite Party/s	:	Mr.Tapeshwar Sharma, APP
For the Complainant	:	Mr.Nityanand Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioner, learned counsel for the complainant and learned A.P.P. for the State.

The petitioner apprehend his arrest in connection with Complaint Case No. 378C/2019 registered for the offences punishable under Sections 323, 379, 406, 498(A) and 504 of the Indian Penal Code wherein cognizance has been taken under Sections 323 and 498(A) of the I.P.C. read with Sections 3 and 4 of the Dowry Prohibition Act

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the complainant alleges that she was married to the petitioner in the year 2017



and after marriage, the accused persons including the petitioner started demanding Rs. 10 lacs for purchasing a house and since the father of the complainant was not in a position to fulfill the demand of the petitioner, as such the complainant was tortured, mentally harassed and was subsequently ousted from her matrimonial home.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, he has also filed a divorce case and is pursuing the same. It is further submitted that it is only after filing of the divorce case, the present complaint case came to be instituted.

Learned A.P.P. for the State and the learned counsel for the complainant vehemently oppose the prayer for anticipatory bail of the petitioner. Learned counsel for the complainant submits that the marriage was only about four years old when the present controversy started, it is next submitted that no girl gets married to be ousted from her matrimonial home and that too for non-fulfillment of dowry. It is the further submission of the learned counsel for the informant that the entire life of the complainant stands ruined as the petitioner has already filed a divorce case on the grounds which are not tenable.



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

His prayer for anticipatory bail is thus rejected.

(Satyavrat Verma, J)

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