

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67404 of 2021

Arising Out of PS. Case No.-241 Year-2020 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

MANJESH TIWARI @ DABLU Son of Late Vishwamohan Tiwari @ Late
Bisvmohan Tiwari Resident of village- Hardiya, P.S.- Bhorey, District-
Gopalganj. Petitioner.

Versus

1. The State of Bihar
2. Sandhya Tiwari W/o Manjesh Tiwari @ Dablu Resident of village- Hardiya,
P.S.- Bhorey, District- Gopalganj. At present daughter of Binod Kumar
Tiwari, Resident of Village- Aghaila Mishra, P.S.- Vijaipur, District-
Gopalganj.

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. Lokesh Kumar Singh, Advocate
For the O.P. No.2	:	Mr. Nityanand Mishra, Advocate
For the State	:	Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned A.P.P. for the
State.

Learned counsel for the petitioner undertakes to
remove the defects, as pointed out by the office, within four
weeks. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner apprehends his arrest in C. Case
No. 241 of 2020, Trial No.3014 of 2021 registered for the
offences punishable under Section 498A of the Indian Penal
Code pending in the Court of learned Judicial Magistrate 1st



Class, Gopalganj.

The petitioner is the husband of the complainant and he in association of his family members is said to have subjected the complainant to various sorts of torture and cruelty over non-fulfillment of demand of dowry and lastly ousted her from matrimonial home.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the victim is a quarrelsome woman and she avoids the company of her husband. The victim does not want to live at her matrimonial home and she is not able to get pregnancy after providing her treatment in this regard. Petitioner has no criminal antecedent.

Learned APP for the State assisted by learned counsel for the opposite party no.2 vehemently opposing the bail petition submitted that the learned Judge, while rejecting the prayer for bail of the petitioner, has clearly stated in his order that the husband-petitioner does not want to keep his wife and his conduct before this Court is very rude. Hence, the petitioner does not deserve anticipatory bail.



Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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