

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70198 of 2019**

Arising Out of PS. Case No.-660 Year-2015 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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GAUTAM KUMAR @ ANMOL KUMAR Son of Ramavatar Singh @
Ramawatar Prasad Singh Resident of Village - Nawada bazar, P.S.- Rajaun,
Distt.- Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mamta Devi D/o Late Digambar Prasad Singh Resident of Village -
Vishnupur, P.O.- Mali, P.S.- Beldaur, Distt.- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh
For the Opposite Party/s : Mr. Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

8 10-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection

with Complaint Case No. 660C of 2015 registered for the

offence punishable under Sections 323, 494, 498(A) of the

Indian Penal Code and under Section 3/4 of the dowry

Prohibition Act.

As per allegation, the complainant was married to the



petitioner 11 years prior to lodging of the complaint petition. Two daughters were born out of wedlock of the couple. Thereafter, the petitioner and his family members subjected the complainant to cruelty. The petitioner demanded Rs. 5,00,000/- cash and due to non-fulfillment of demand, he solemnized his second marriage.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.

On the other hand, the learned counsel for the informant has submitted that the petitioner inflicted atrocities upon the complainant for non-fulfillment of dowry demand. He solemnized his second marriage and ousted the complainant from her matrimonial house. The complainant is on the verge of starvation and in Maintenance Case No. 47 of 2015, the learned Principal Judge, Family Court directed the petitioner to pay Rs. 10,000/- per month as maintenance to the informant and her two daughters, but the petitioner did not obey the order of the Court, as such, the life of the complainant and her two daughters are in pathetic condition. Learned counsel for the informant has also submitted that the petitioner has been declared absconder and the process under Section 82 of the Code of Criminal Procedure



has been issued.

Considering the above mentioned facts and circumstances, the petitioner is not entitled for privileges of anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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