

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25008 of 2022

Arising Out of PS. Case No.-1543 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Gaurav Kumar Sinha, Son of Nawal Kishor Prasad Resident of Village -
Milkypar, P.s.- Parawalpur, Distt.- Nalanda, At present Resident of Village -
592 Rabindra Nagar Tallibagh, P.s.- P.G.I Janpad, Lucknow, Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Kumari W/o Gaurav Kumar Sinha, D/o Nawal Kishor Prasad
Resident of Village - Naihar Bandoh, P.s.- Rahui, Distt.- Nalanda, At Present
- Patel Nagar Behind of D.M. Colony, P.s.- Laheri, Distt.- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 27-02-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in

connection with Trial No. 3541 of 2019 arising out of

Complaint Case No. 1543 of 2018 registered for the offences

punishable under Sections 323, 504, 498A, 307, 328, 313, 376

and 511 read with Section 34 of the Indian Penal Code and



Sections 3/4 of the Dowry Act.

As per prosecution case, the informant solemnized marriage with the petitioner on 08.05.2014 according to Hindu rites and customs. The petitioner and his family members used to torture the informant physically and mentally on account of dowry demand. It is further alleged that the informant went again her in-laws house for living with her husband but the petitioner and his family members ousted the informant with her daughter from the matrimonial home.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. He has further submitted that the petitioner is the husband of the informant and the nature of allegation is general and omnibus. Learned counsel for the petitioner has further submitted that the petitioner does not want to live with the informant. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

Today, both the parties have appeared physically before the Court with their respective counsel. The informant is ready to live with the petitioner but the petitioner has flatly refused to live with the informant.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner is not ready to keep his wife.

Considering the aforesaid facts and circumstances of the case and the prayer of anticipatory bail of the petitioner is disposed of with direction to the petitioner to surrender before the court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

(Chandra Prakash Singh, J)

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