

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37501 of 2023

Arising Out of PS. Case No.-2233 Year-2016 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Munchun Rai @ Munchun Kumar Son Of Mahendra Rai Resident Of Village-
Khairi Dharampur, Ps- Khanpur, Distt- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanta Kumar Daughter Of Ram Babu Rai Resident Of Village- Dedpur, Ps-
Mahanar, Distt- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s: Mr. Narendra Kumar Singh, APP

Mr. Hemant Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 22-08-2023 1. Heard learned counsel for the petitioner, learned
A.P.P for the State and learned counsel for the Opposite Party
no.2.

2. The petitioner has preferred this application for grant
of anticipatory bail apprehending his arrest in connection with
Complaint Case no.2233 of 2016 registered under sections 323
and 498A of the Indian Penal Code.

3. As per the prosecution case, the complainant
opposite party states that she was married to the petitioner as per
Hindu Rites and Customs in the year 2009. The accused persons
including the petitioner herein started to torture the petitioner for
non-fulfillment of the demand of Rs.50,000/- and a motorcycle.



She was abused and assaulted and finally had to leave her *sasural*.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only on account of being the husband of the complainant. The petitioner has always been ready to keep the complainant as his wife with full honour and dignity. The allegations as levelled are incorrect. He has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the Opposite Party no.2.

6. Having heard learned counsel for the parties and having perused the material on record, it transpires that the complaint from which the instant application for bail arises was filed in the year 2016. Further on completion of inquiry, cognizance was taken by order dated 8.5.2017. It was almost 6 years later that the petitioner moved for grant of bail in the learned trial Court. Having taken into consideration the allegation in the complaint as also the inordinate delay in moving the application for anticipatory bail, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

(Partha Sarthy, J)

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