

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44119 of 2023

Arising Out of PS. Case No.-1229 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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RAMWA PARIHAR Son of Shalukha Parihar Resident of village - Pilkhana,
P.S. - Baliya Belone, Distt. - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali D/o Bipin Parihar Resident of village - Chandpur, Manjriya, P.S. -
Azam Nagar, Distt. - Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP
Mr. Md. Musowir, 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 who has appeared *suo motu*.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Katihar (Complaint Application Case) C.A. Case no.1229
of 2021 registered under section 498A of the Indian Penal Code
and section 4 of the D.P Act.

3. As per the prosecution case, the complainant
submits that she was married to the petitioner about two years
ago. There is further allegation of demand of dowry, assault and
torture etc. against the accused persons including the petitioner.



4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations of demand of dowry and torture etc. are all false and concocted. The petitioner, even today, is ready to keep his wife the complainant with full honour and dignity, however, it is the complainant herself who is not ready to live with the petitioner. In fact the petitioner has filed a case for restitution of conjugal right. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the complainant. It is submitted by learned counsel for the complainant that besides the petitioner being the husband of the complainant, there is direct allegation against him and from the order of the learned trial Court it would transpire that he was neither ready to keep the complainant with him and he also admitted to second marriage with another lady. The said statement has also not been denied in the instant petition.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner who happens to be the husband of the complainant, the direct allegation against him in the complaint as also the fact of his having entered into a second marriage with another lady,



the Court is not inclined to enlarge the petitioner on anticipatory
bail and the application is rejected.

(Partha Sarthy, J)

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