

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51834 of 2022

Arising Out of PS. Case No.-633 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Jitendra Goswami Son Of Ramayan Goswami R/O Village- And Post-
Basantpur, P.S.- Chenari, District- Rohtas, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari D/O- Suresh Goswami, W/O Of Jitendra Goswami R/O
Village And Post- Basantipur, P.S.- Chenari, District- Rohtas, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Chaubey, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

23 01-02-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Aurangabad Complaint Case No.633 of 2018 instituted
under Sections 323, 498A of the IPC and Section 3/4 Dowry
Prohibition Act.

As per the FIR, the lady was married to the petitioner
but was regularly tortured and the allegation is that when she
was pregnant, the petitioner hit her on the abdomen causing her
abortion.

In this anticipatory bail application, the petitioner
deliberately chose to give the address of the opposite party no.2
which is own address instead of her parents home.



When the matter was taken up by a coordinate bench on 22.11.2022 on the basis of submission made by the learned counsel for the petitioner that he wants to keep his wife, notice was issued and interim relief was granted to him.

Subsequently, notices went to his own house (instead of informant) which was received by the father of the petitioner, as per the office report that has been inscribed in the file.

Taking into account the allegation that has come in the FIR as also the conduct of the petitioner who tried to hoodwink this Court by giving a wrong address and enjoyed the interim relief, this Court is not inclined to grant him privilege of anticipatory bail, which is accordingly rejected.

(Rajiv Roy, J)

Prakash Narayan /-

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