

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53460 of 2022

Arising Out of PS. Case No.-211 Year-2021 Thana- BHARGAMA District- Araria

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KISHOR KUMAR RAY @ KISHOR KUMR RAY SON OF LATE
PREMLAL RAY R/O VILLAGE- SIRSIA HANUMANGANJ, P.S.-
BHARGAMA, DISTRICT- ARARIA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PINKI KUMARI WIFE OF AJAY KUMAR D/O LATE UMANAND
SARDAR, R/O VILLAGE - LAXMIPUR, P.S.- CHATAPUR, DISTRICT-
SUPAUL. PRESENTLY RESIDING AT VILLAGE - SIRSIA
HANUMANGANJ, P.O.- MAHTHAWA BAZAR, P.S.- BHARGAMA,
DISTRICT - ARARIA 854334

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashish
For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-05-2023 Heard learned counsel for the petitioner, State and
opposite party no. 2.

The petitioner apprehends his arrest in a case
registered for the offence under Sections 341, 323, 498(A),
504/34 of the Indian Penal Code and Section 3/4 of Dowry
Prohibition Act.

Allegation against petitioner is of commission of
torture and harassment due to non-fulfillment of demand of
dowry.

Petitioner is husband of the victim (informant).

It is submitted on behalf of petitioner that petitioner



has been falsely implicated by informant and her family members due to the fact that informant is legally wedded wife of one Ajay Kumar of Supaul district and she concealed this fact with the petitioner. It is next submitted that prior to lodging of present case, mother of petitioner had lodged a complaint, vide complaint case no. 1743 fo 2021 against informant and her family members for the offences under Sections 341, 323, 379, 354B, 364, 504/34 of the IPC and due to that reason, present case has been lodged against petitioner and his family members. It is lastly submitted that during investigation, it has come that pujari of shiv mandir has denied the factum of marriage solemnized between petitioner and informant/O.P.-2. On aforesaid grounds, it has been prayed to grant anticipatory bail to the petitioner.

However, learned counsel for the informant/opposite party no. 2 vehemently opposes the prayer for anticipatory bail and submits that petitioner is husband of informant and there is specific and direct allegation against him of commission of torture and assault due to non-fulfillment of demand of dowry.

Considering the aforesaid facts and circumstances as well as the fact that petitioner is husband of informant/opposite party no. 2 and there is specific allegation of demand of dowry



against him, the prayer for anticipatory bail of petitioner is
rejected.

(Prabhat Kumar Singh, J)

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