

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53913 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- MAHILA P.S. District- Patna

Manish Kumar S/O- Late Suresh Prasad Resident Of Flat Number 202,
Avinash Apartment Jakkanpur Dvc Chauk Police Station Jakkanpur, District-
Patna

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ruchi Sinha, Wife of Manish Kumar, D/O- Chitragupt Sinha Resident Of
Mohalla-35 Feet Near Hullukpur Talab, Police Station- Beur, District- Patna
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Mishra, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP
For the informant	:	Mr. Akhileshwar Kumar Shrivastva, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-10-2023 Heard Mr. Anirudh Mishra, learned counsel for the

petitioner, Mr. Akhileshwar Kumar Shrivastva, learned counsel
appearing on behalf of the informant and Mr. Gauri Shankar
Gupta, learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No.106 of 2022, F.I.R. dated
25.08.2022 registered for the offence punishable under Sections
498(A), 506/34 of the IPC and $\frac{3}{4}$ of the D.P. Act.

3. The prosecution case, in short, is that informant
was married with Manish Kumar according to the Hindu rites
and rituals. After marriage she went to her *Sasural* where the
husband of the informant and her inlaws demanded Rs.
3,00,000/- cash as dowry from the informant, then father of the



informant paid Rs.1,00,000/- to the accused persons in spite of that for non-fulfillment of total demand of dowry they abused, assaulted and lastly they ousted her from her matrimonial home with threatening that if she will file any case against them they will kill her. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Further submits that before filing of the present FIR, the petitioner had filed a Divorce Petition No.568 of 2022 on 06.03.2022 before the learned Family Court, Patna., thereafter the present FIR was instituted on 25.08.2022. He further submits that pursuant to the order of this Court vide order dated 28.08.2022, matter was referred to Mediation and Conciliation Center, Patna High Court, Patna for settlement of dispute between the parties, but after the mediation the Mediator suggests that the mediation has failed.

5. Learned counsel for the informant, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it appears from the impugned order



itself, that the informant was ready to live with the petitioner but the petitioner had refused and thereafter the matter had again sent for mediation and due casual approach of the petitioner, the mediation process has not been solved and despite of that the informant is ready to live with the petitioner. Further submits that the petitioner has filed the divorce case after receiving of notice from the D.R. Case No.296 of 2022.

6. Considering the rival submission of learned counsel for the informant, and even midst of the argument the learned counsel for the petitioner is not ready to give any amount as interim maintenance to the informant, I am not inclined to grant privilege of anticipatory bail to the petitioner.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Prakash Narayan

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