

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34071 of 2024

Arising Out of PS. Case No.-265 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Nirbhay Narayan Mishra S/o- Shiv Narayan Mishra Resident of village-
Majharia Kote, P.O- Anjorpur, P.S- Narhi, District- Balia, U.P

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari D/o- Kamal Nayan Pandey Village- Sahaura Ps- Usafa Ps-
Gaurichak Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Mishra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-11-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the O.P. No. 2.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 265 of 2019 dated 05.03.2019
registered for the offences punishable under Section 498(A) of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Learned counsel for the petitioner submits that
petitioner as being husband has been falsely implicated in the
instant case by the O.P. No. 2 for reasons best known. It is also



submitted that false allegations have been levelled against the petitioner in the aforesaid case. It is also submitted that petitioner is willing keep the O.P. No.2 with honor and dignity.

5. Learned A.P.P. for the State and learned counsel for the O.P. No. 2 oppose the prayer for anticipatory bail of the petitioner.

6. Learned counsel for the O.P. No.2 submits that though the submissions has been made on behalf of the petitioner that petitioner is willing to keep the O.P. No. 2 with honor and dignity, but then he has filed a divorce case in the Court of the leaned Principal Judge, Family Court at Ballia, Uttar Pradesh and on notice, the O.P. No.2 has appeared. It is also submitted that till date the petitioner has not paid a single farthing towards maintenance of the O.P. No. 2 as such one can will imagine the plight of the O.P. No. 2 that how she is surviving in absence of any financial support. It is further submitted that the petitioner only with a view to submissions has wrongly instructed the learned counsel appearing on his behalf submitted that petitioner is willing to keep the O.P. No. 2 with honor and dignity. It is next submitted that petitioner has no intention to keep the O.P. No.2 with honor and dignity.

7. Considering the submissions made by the learned



counsel for the O.P. No.2, the Court is not inclined to extend the
privilege of anticipatory bail to the petitioner.

8. The application stands rejected.

(Satyavrat Verma, J)

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