

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33678 of 2024

Arising Out of PS. Case No.-263 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Deepak Paswan @ Deepak Kumar Son Of Sri Niwash Ram @ Sri Niwash
Paswan Resident Of Village /MOHALLA - Fazalganj, P.S- Sasaram
(SADAR), Dist- Rohtas (BIHAR)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kriti Kumari Wife Of Deepak Paswan Ward No.-25, Resident Of Purab
Mohalla - Bhabhua, P.S.- Bhabhua, Dist- Kaimur (BHABHUA)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-08-2024 Earlier, the matter was referred to Mediation Centre,

but the dispute between the parties could not be settled through

the process of mediation and as such, mediation failed (report at

flag 'M').

2. Heard learned counsels for the parties.

3. The petitioner apprehends his arrest in connection with

Complaint Case No. 263 of 2023 for the offences punishable

under Section 498A of the Indian Penal Code and Section 3/4 of

the Dowry Prohibition Act.

4. As per prosecution case, it is alleged that the

complainant was married with this petitioner in the year 2021

and went to her *Sasural* where after some days, the petitioner



alongwith co-accused persons subjected her to cruelty for non fulfillment of demand of motorcycle while the amount of Rs. 90,000/- for motorcycle has already been paid, however, since the parents of the complainant is no more, the maternal aunt of the complainant gave a sum of Rs. 10,000/- but even then the in-laws people of the complainant assaulted her, snatched her belongings and ousted her from her matrimonial home.

5. Learned counsel appearing on behalf of the petitioner denies the prosecution case and submits that at no point of time this petitioner ever tortured or harassed the complainant for dowry. Petitioner is ready to keep the complainant/opposite party no. 2 with full honour and dignity but it is the complainant who does not want to live with him. However, petitioner denies to pay a maintenance amount.

5. Learned counsel appearing on behalf of the opposite party no. 2 vehemently opposed the prayer for bail by contending that petitioner is the husband of the complainant and there is specific allegation against him of matrimonial cruelty and demand of dowry. The complainant apprehends danger to her life at the hands of the petitioner, hence she does not want to live with this petitioner.

6. Considering the aforesaid facts and circumstances of



the case, this Court is not inclined to grant anticipatory bail to the petitioner. His prayer for bail is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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