

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38066 of 2024

Arising Out of PS. Case No.-8266 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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RAJU KUMAR @ RAJU PASWAN S/O BANGALI PASWAN R/O
VILLAGE- KHARSARIYA, P.O- DAMODARPUR, P.S- NAGARNAUSA,
DISTT.- NALANDA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. CHANCHAL @ CANCHAL DEVI D/O SRI SAJJAN PASWAN, W/O
RAJU KUMAR R/O VILLAGE- KHARSARIYA, P.O- DAMODARPUR,
P.S- NAGARNAUSA, DISTT.- NALANDA AT PRESENT R/O VILLAGE-
SAKARAICHA, P.S- PARSA BAZAR, DISTT.- PATNA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-11-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 498(A) of
the Indian Penal Code.

3. Learned counsel appearing on behalf of the
opposite party no. 2 submits that the case was referred for
mediation but then the mediation failed. It is further submitted
that during the course of mediation, the petitioner was not
willing to resolve the dispute. It is next submitted that opposite
party no. 2 since 06.07.2022 is staying apart from the petitioner



and in these more than two years, petitioner has not paid a single penny towards maintenance as such one can well imagine the plight of the opposite party no. 2 that how she is sustaining herself in absence of any financial support. It is also submitted that opposite party no. 2 was married to the petitioner on 18.06.2021 and within one year of marriage, she was ousted from her matrimonial home on account of non-fulfillment of the dowry demand as alleged in the complaint. It is submitted that during the course of mediation proceeding, the petitioner was not willing to restitute his conjugal rights nor agreed on one time settlement on an amount of Rs.2,50,000/- which amply demonstrates the conduct of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is willing to pay Rs.75,000/- by way of one time settlement and if the opposite party no. 2 is not willing to settle on the said amount in that event the petitioner is willing to keep her on which learned counsel appearing on behalf of the opposite party no. 2 submits that this is the conduct of the petitioner.

5. Considering the submissions made by the learned counsel appearing on behalf of the opposite party no. 2, the Court is not inclined to extend the privilege of anticipatory bail



to the petitioner in connection with Complaint Case No. 8266(C) of 2022 pending in the Court of learned Chief Judicial Magistrate, Patna/Successor Court.

6. Hence, the prayer of anticipatory is rejected.

(Satyavrat Verma, J)

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