

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51589 of 2024

Arising Out of PS. Case No.-143 Year-2015 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

Amrendra Kumar Singh Son of Sri Sidheshwar Singh Resident of Village -
Madarpur, P.S.- Baniyad Ganj (Buniyad Ganj), District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Devi @ Gudiya Devi Wife of Amrendra Kumar @ Amrendra Kumar Singh @ Sri Amrendra Kumar Singh Resident of Village - Madarpur, P.S.- Buniyadganj, District - Gaya. At present residing with father Sri Mahasampat Singh, Resident of Village - Dadhpi, P.S.- Bandeya, District - Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar, Advocate
For the Informant/s	:	Mr. Rabindar Kumar, Advocate
For the State	:	Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 18-12-2024 Heard Ld. counsel for the petitioner, learned counsel
for the complainant and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Complaint Case No. 143 of 2015, dated 30.04.2015, registered for the offences punishable under Sections 498(A), 323 of the Indian Penal Code.

3. As per the allegation, there was additional demand of dowry after marriage and on account of non-fulfillment of the same, the complainant-wife has been subjected to cruelty and



finally ousted from the matrimonial home.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that she herself left the matrimonial home and thereafter, the petitioner has entered into second marriage and blessed with two children with the second wife. He further submits that the complainant is not attending the matter in the present criminal complaint in the Court below.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State and Ld. counsel for the complainant vehemently oppose the prayer of the petitioner for bail submitting that on account of non-fulfillment of illegal demand of dowry, she was subjected to cruelty and torturing by the petitioner and he has entered into second marriage which is the worst form of cruelty for any wife and he is not paying any maintenance.

8. Considering the fact that the petitioner-husband has entered into second marriage without any divorce by the Court



of law, I am not persuaded to enlarge the petitioner on anticipatory bail.

9. Accordingly, the prayer of the petitioner for anticipatory bail is rejected.

(Jitendra Kumar, J)

Amandeep/-
Shoaib/-

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