

Arising Out of PS. Case No.-1031 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Radha Mohan Pandey
For the Opposite Party/s : Mr. Ramchandra Sahni

2 30-09-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State along with learned counsel appearing on
behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in Complaint
Case No.1031/2023 registered for the offence punishable under
Sections 498A, 323, 420, 406 of the Indian Penal Code and
Sections 3/4 of the D.P. Act.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case being
husband. It is further submitted that though it has been alleged



that petitioner assaulted the informant prior to ousting her from her matrimonial home but then the said allegation is false and the petitioner had already filed a representation before the concerned S.P. It is also submitted that petitioner was married to the complainant on 07.05.2021 and it is being alleged by the complainant that after marriage the accused persons including the petitioner were demanding a bullet motorcycle and a golden chain and when the demand was not met, the complainant was ousted from her matrimonial home after assaulting her. It is next submitted that petitioner is a Vedacharya and has been recognized by Banaras Bidwat Parishad and as such it does not appear probable that a person of that stature would indulge in such an act.

4. On query of the court that as to whether the petitioner intends to keep the O.P. No.2 with honour and dignity or not, the learned counsel submitted that petitioner has already filed a divorce case which is pending adjudication, on which, the learned counsel appearing on behalf of the O.P. No.2 submits that petitioner right from the beginning was never interested in keeping the O.P. No.2 with honour and dignity and the fact that a divorce case has been instituted that in itself demonstrates that petitioner does not intend to keep the O.P.



No.2 with himself. It is further submitted that either the divorce application will succeed or fail but till the same is not decided in favour of the petitioner, the O.P. No.2 shall remain his legally wedded wife. It is also submitted that one can well imagine the plight of the O.P. No.2 that how she is suffering in absence of any financial support from the petitioner. It is further submitted that the parents of the O.P. No.2 married her to the petitioner thinking that she will lead a happy and a peaceful conjugal life but then she has been ousted and is completely dependent on her parents and the petitioner till date has not paid anything towards her maintenance.

5. Considering the submissions made by the learned counsel appearing on behalf of the O.P. No.2, the court is not inclined to extend the privilege of anticipatory bail application of the petitioner.

6. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

