

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57886 of 2023

Arising Out of PS. Case No.-1415 Year-2021 Thana- COMPLAINT CASE District- Araria

VIDHANAND KUMAR @ BUDHU SINGH @ VIDYANAND KUMAR
Son of Ram Udgar Mahto R/o vill - Singhia Buzurg, P.S. - Bibhutipur, Distt. -
Samastipur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Priyanka Kumari Wife of Vidhanand Kumar @ Budhu Singh @ Bandhu Singh R/o Haplaganj, ward no. 06, P.S. - Muffasil, Distt. - Katihar. At present D/o Sri Arjun Mehta, R/o Vill - Belsara, Ward no. 12, P.s. - Raniganj, Distt. - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 27-02-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the informant.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 1415(C) of 2021, dated 15.09.2021, disclosing offences under Sections 498-A of the Indian Penal Code.
3. The prosecution case, as per the complaint case, is that the marriage of the complainant with the petitioner was solemnized on 30.05.2019. Thereafter, the petitioner, alongwith other accused persons, started demanding Rs. 5,00,000/- and one Bullet Motorcycle as dowry. Due to



non-fulfillment of the said demand, the complainant was tortured physical and mentally and the petitioner also threatened to perform second marriage. Ultimately, the complainant was ousted from her matrimonial home.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and he has not committed any offence in the manner alleged. However, learned counsel submits that despite call being made by the learned counsel for the petitioner, the petitioner did not respond and did not turn-up in the mediation.
5. Learned counsel for the informant-opposite party no. 2 vehemently opposes the prayer for anticipatory bail and submits that complainant was tortured and ousted from her matrimonial home and in the meanwhile one girl child was born from the wedlock. He further submits that efforts for amicable settlement was made on the part of the complainant, but the petitioner did not agree for settlement. When the matter was referred to the mediation centre by a Co-ordinate Bench of this Court, the petitioner did not appear in the mediation Accordingly, learned Magistrate submitted his report, dated 22.02.2024,



informing that the mediation has failed.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is specific allegation against the petitioner and learned Magistrate has taken cognizance on the basis of prima facie case, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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