

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59114 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- MAHILA PS District- Gopalganj

DHARMENDRA KUMAR S/O SUNIL PRASAD VILLAGE- JAMSARI,
PO- JAMSAR, PS- UCHKAGAON, DIST- GOPALGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. ARCHNA KUMARI WIFE OF DHARMENDRA KUMAR VILLAGE-
JAMSADI PO- JAMSAD, PS- UCHKAGAON, DIST- GOPALGANJ

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shambhu Narayan Singh, Adv.
For the Opposite Party/s :	Mr.Gauri Shankar Gupta, APP.
	Mr. Sumit Shekhar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest Mahila P.S. Case No. 15 of 2023 registered for the offences punishable under Sections 341, 323, 498(A), 406, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of informant, is said to have tortured upon her physically and mentally and ousted her from the matrimonial home in association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. The real fact is that the informant is in



illicit relationship with someone else. She does not want to live with petitioner. She only wants financial gain from her husband. It is further submitted that the dispute between the parties could not be resolved through the process of mediation. Petitioner is not ready to keep the informant with honour and dignity. He has no criminal antecedent as mentioned in Para 3 of the bail application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail. Learned counsel for the informant submits that there is serious allegation against the petitioner to demand Bullet motorcycle and due to non-fulfillment of demand, he used to torture her and subsequently ousted her from her matrimonial house. Hence, he does not deserve the privilege of anticipatory bail.

6. Considering the facts and circumstances of case, as petitioner is not ready to keep the informant with full honour and dignity, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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