

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63212 of 2024

Arising Out of PS. Case No.-500 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Jahindra Yadav @ Jahindra Kumar Son of Kailu Yadav @ Kailash Yadav
Resident of Village - Bariyarpur, P.S.- Kawakole, District - Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi @ Manita Devi Daughter of Badhan Yadav @ Chhotu Yadav
Resident of Village - Bhandari, P.S.- Kawakole, District - Nawadah.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Niraj Kumar
For the Opposite Party/s :	Mr.Surendra Kumar
	Mr. Pramod Kumar Verma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-12-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the OP No. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 379,
498A, 504, 506, 494 and 34 of the Indian Penal Code and
Section 4 of Dowry Prohibition Act.

3. The learned counsel appearing on behalf of the OP
No. 2 submits that OP No. 2 along with the child have been
ousted from their matrimonial home in the year, 2023 and from
2023 till date, not a single penny has been paid to the OP No. 2
and the child, as such, one can well imagine the plight of the OP
No. 2, how she is surviving in absence of any financial support.



It is also submitted that OP No. 2 is completely dependent on her parents. Learned counsel next submits that the petitioner, after ousting the OP No. 2 along with the child, has performed his second marriage with Munni Devi, Daughter of Lutan Yadav, Resident of village- Purnadi, P.S.- Domchacha, District- Kodarma, State-Jharkhand. It is further submitted that on the one hand, the petitioner has ousted the OP No. 2 from her matrimonial home along with the child, and on the other hand, is enjoying his life with his second wife, namely, Munni Devi.

4. Learned counsel for the petitioner submits that petitioner is still willing to keep the OP No. 2 with honour and dignity, but then is not in a position to rebut the submission made by learned counsel for the OP No. 2 that petitioner after ousting the OP No. 2 along with the child from his home has not paid a single penny for their sustenance.

5. On query of the Court that as to whether the petitioner has performed his second marriage or not, and if not, in that event, the Court would direct the concerned authority to submit a report after enquiring from Lutan Yadav that as to whether his daughter, Munni Devi, has been married to the petitioner or not, on which the learned counsel appearing on behalf of the petitioner is not in a position to make any



submission.

6. Be that as it may, the conduct of the petitioner appears to be reprehensible that the OP No. 2 has been ousted along with the child and then not a single penny has been paid towards maintenance, which amply demonstrates the conduct of the petitioner, as such, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

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

(Satyavrat Verma, J)

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