

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63279 of 2024

Arising Out of PS. Case No.-2199 Year-2022 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Vishendra Yadav @ Vishendra Kumar Yadav S/O Chhotelal Yadav R/O
Village- Chakari, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kusum Kumari W/O Vishendra Yadav, D/O Nageshwar Chaudhary R/O
Village- Narayanpur, P.O- Sahpur, P.S- Nautan, Distt.- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 21-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Complaint Case no.2199 of 2022, registered under sections 323, 341, 498A and 406 of Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the complainant states that she was married to the petitioner on 21.6.2018. At the time of marriage, her father had given Rs. 2.5 lacs in cash besides other articles as stated in the complaint. Soon after the marriage, the accused persons started to assault and torture her and treating her like a servant. On her being in the family way, it is



stated that they forced her to abort. The accused persons retained various articles mentioned in the complaint. The petitioner is planning to marry some other person.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the complainant. It is the complainant who abandoned him and was not ready to reside with him which compelled him to file a divorce case on 15.9.2022 which was registered as Divorce Case no. 275 of 2022 in the Court of Principal Judge, Family Court, Siwan and it was only thereafter on 20.10.2022 that the instant complaint was filed. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the complaint, the complaint case having been filed subsequent to filing of the divorce case and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no. 2199 of 2022 on furnishing



bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Siwan.

(Partha Sarthy, J)

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