

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82725 of 2023

Arising Out of PS. Case No.-1157 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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AMIT KUMAR S/O ASHOK PRASAD SWARNKAR @ ASHOK KUMAR
@ ASHOK PRASAD RESIDENT OF TENANT IN THE HOUSE OF SHIV
JEE KALI ASTHAN PANI TANKI, BEGAM KI HAWELI, PS.
KHAJEKALAN, DIST.PATNA.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. PRITI KUMARI W/O AMIT KUMAR, D/O KRISHNA PRASAD
RESIDENT OF BHUTNATH ROAD, NEAR NAHUMAN MANDIR,
L.I.G. SECTOR-6, BLOCK-1 B.H. COLONY, PS. AGAMKUAN, DIST.
PATNA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Mohan Tripathi
For the Opposite Party/s : Mrs.Veena Kumari Jaiswal

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner as well as the
learned counsel for the complainant.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 1157 of 2022, registered for the offences
punishable under Sections 498(A) of the Indian Penal Code.

3. It is a case of matrimonial dispute. The complainant is
wife of the petitioner. She made allegation that her marriage was
solemnized with the petitioner on 07.05.2017. After marriage, when
she went to her matrimonial house, the accused persons started
mental and physical torture due to non-fulfillment of demand of
dowry and ultimately, the victim was ousted from her matrimonial



house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, he filed a case against the complainant for restitution of conjugal rights, but the matter became irretrievable.

5. On the other hand, learned counsel for the complainant has submitted that only with intention to getting bail, case under Section 9 of the Hindu Marriage Act has been filed by the petitioner, which is contradictory of his statement. In mediation center, the petitioner refused to keep the victim.

6. Taking into consideration, the unfair and dishonest conduct of the petitioner, I feel that the petitioner does not deserve privilege of anticipatory bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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