

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3030 of 2024

Arising Out of PS. Case No.-63 Year-2022 Thana- MAHILA P.S. District- Nalanda

OM PRAKASH KUMAR S/O PRAMOD PRASAD R/O VILLAGE-
AGNUBIGHA, P.S- HILSA, DISTT.- NALANDA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PUNAM KUMARI D/O HARINANDAN PRASAD R/O VILLAGE-
KISUNPUR, P.O- DAHPAR, P.S- NOORSHARAI, DISTT.- NALANDA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate
For the State : Mr. Mithlesh Kumar Khare, A.P.P.
For the Informant : Mr. Pramod Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-04-2024 Heard learned Counsel for the petitioner, the State
and the Informant.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 63 of 2022 for the offence registered
under sections 498A, 341, 323, 504, 506, 379 and 34 of the
Indian Penal Code lodged on 02.07.2022 by the informant,
Poonam Kumari.

3. As per the prosecution story, the marriage of the
informant was solemnized in the year 2014 but she was always
tortured for dowry. The further allegation is that in the year



2021, she was forced to go to her parents house and an application submitted by her, in January 2022, the Women Police Station called the couple and on the basis of comprised, she again went to her in-laws house but on 07.06.2022, she was beaten and as they tried to throttle her neck, with the help of the villagers, she was rescued and then returned to her home but not before getting treated at Sadar Hospital, Bihar Sharif.

4. In this case, a co-ordinate bench had sent the matter to Mediation Centre vide an order dated 31.01.2024 and as per the report dated 06.03.2024, the Mediator has reported that the mediation failed.

5. It has been submitted by learned Counsel for the informant not rebutted by the learned Counsel for the petitioner that even when there is a valid marriage between the petitioner and the informant, he has gone for second marriage. Though the learned Counsel for the petitioner tried to impress upon this Court on the basis of a document which shows that a compromise was signed and payment made in the presence of 'Panch', it is the case of the learned Counsel for the informant that the 'Panch' forced the lady to sign the blank paper on which all the facts have been incorporated later on and in fact she has not received a single penny.



6. Considering all these facts as also the submissions put forward by the learned Counsel for the informant that the blank document was signed by her due to force exerted by the ‘*Panch*’ at the behest of the petitioner, it would be appropriate that he seek bail.

7. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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