

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1778 of 2024

Arising Out of PS. Case No.-568 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Rakesh Chaurasiya Son Of Haridwar Chaurasiya Resident Of Village-
Kharahana, Ps- Kudra, Distt- Kaimur At Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reema Devi Wife Of Rakesh Chaurasiya Resident Of Village- Kharahana,
Ps- Kudra, Distt- Kaimur At Bhabua D/O Vinod Prasad Chaurasia, Village-
Akhalashpur, Ps- Bhabua, Dist- Kaimur

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Kiran Kumari Sharma, Advocate
For the Opposite Party	:	Mrs. Sharda Kumari, APP
For the Informant	:	Mr. Tribhuwan Narayan, Advocate

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-05-2024 Heard learned counsel for the petitioner as well as

learned counsel for the informant and learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 568 of 2023 dated
05.07.2023 registered for the offence punishable under Sections
u/ss 341, 323, 504, 506, 498A, 307, 420 and 379 of the Indian
Penal Code and ¾ of the DP Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the complainant
mentally and physically due to non-fulfillment of demand of Rs.



5 lakhs as dowry. It is further alleged that after marriage, the complainant came to know that the accused persons have committed fraud with her and they also gifted fake gold jewellery to her as Stridhan. The petitioner has illicit relationship with his bhabhi, Sunita Devi. On being objected, all the accused persons including the petitioner tried to kill her after sprinkling kerosene oil.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is the husband of the complainant. The petitioner neither demanded any dowry nor tortured the complainant. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner is a husband. It is further submitted that *vide* order dated 11.03.2024 at the High Court Patna Mediation Centre it was decided that the petitioner will pay Rs. 10 lacs as full and final settlement to the Opposite Party No. 2 (Reema Devi) but now the petitioner is not ready to pay the said amount as



decided in the Mediation Centre. The petitioner has illicit relationship with his bhabhi.

6. Considering the aforesaid facts and circumstances of the case as well as the materials available on the record against the petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is disposed of and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and the Court below may consider the prayer of the bail of the petitioner in accordance with law without being prejudice by this order.

7. This application stands disposed of.

(Chandra Prakash Singh, J)

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