

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28791 of 2025

Arising Out of PS. Case No.-1035 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Dilip Kumar S/O Indradeo Prasad R/O Village- Madhubani Ghat, P.O. and
P.S- Motihari, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/O Dileep Kumar R/O Village Madhubani Ghat, P.O and P.S-
Motihari, Distt.- East Champaran at present Village- Lahari Tola, P.O and
P.S- Lalganj, Distt.- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar
For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 13-11-2025 1. Heard learned counsel for the petitioner, learned

A.P.P. for the State and the learned counsel appearing on behalf

of the O.P. No.2.

2. The petitioner apprehends his arrest in connection

with Complaint Case No.1035/2017, registered for the offence

punishable under Sections 498A of the Indian Penal Code and

Section 4 of the D.P. Act.

3. Learned counsel for the petitioner submits that

petitioner is a person with clean antecedent and the complainant

alleges that she was married with the petitioner on 05.06.2002

but after marriage, the accused persons were torturing her both

mentally and physically for non-fulfillment of the demand of



dowry of Rs.4 lacs. Further, out of the wedlock, two children were born but the girl child was differently-able, further complainant along with the children were ousted from their matrimonial home in the year 2017.

4. Learned counsel for the petitioner submits that petitioner being husband has been falsely implicated in the instant case by the complainant. It is next submitted that petitioner is still willing to keep the complainant and the children with honour and dignity.

5. Learned counsel appearing on behalf of the complainant opposes the prayer for anticipatory bail of the petitioner and submits that one can well imagine the plight of the complainant who is sustaining two children all alone without any financial support from the petitioner since 2017. It is also submitted that it is difficult to sustain a child who is differently-able without support of the father. It is next submitted that petitioner in these 8 years never made any endeavour either to resolve the issue or to pay monthly maintenance for sustaining the children at least. It is further submitted that the petitioner with a view to evade his arrest has made a submission that he still intends to keep the complainant and the children with honour and dignity when the mediation has failed.



6. Considering the submissions made by the learned counsel appearing on behalf of the O.P. No.2, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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