

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33642 of 2024

Arising Out of PS. Case No.-549 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Rajiv Bind @ Rajeev Bind Son of Late Sudama Bind Resident of Village-
Niyamatpur, P.S.- Harnaut, Dist.- Nalanda, At present- R/o village- Devki
Dham, Raja Pul, Anandpuri, P.S.- Krishnapuri, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reena Devi wife of Rajiv Bind @ Rajeev Bind, D/o Raja Bind Resident of
Village- Niyamatpur, P.S.- Harnaut, Dist.- Nalanda, At present Village-
Begampur, Beldari Tola, P.S.- Bypass, Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 22-01-2025 1. Heard learned counsel for the petitioner, learned

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

the opposite party no. 2/complainant.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Section 498A of the

Indian Penal Code.

3. Learned counsel for the petitioner submits that

petitioner, being the husband, has been falsely implicated in the

instant case by the opposite party no. 2. It is further submitted

that petitioner intends to restitute his conjugal rights but then

opposite party no. 2 is not ready to accompany the petitioner. It

is next submitted that the instant case has been instituted with



exaggerated allegation in the year 2018 when the petitioner was married to the opposite party no. 2 in the year 2005.

4. Learned counsel appearing on behalf of the opposite party no. 2 submits that opposite party no. 2 was married to the petitioner in the year 2005 and out of the wedlock, two children were born who presently are staying with the opposite party no. 2. It is further submitted that from perusal of the allegation as alleged in the complaint petition, it would manifest that it has been specifically alleged that opposite party no. 2 was ousted from her matrimonial home in the year 2018, as such, she came back to her parental home along with her children. It is next submitted that the petitioner may be aggrieved by the opposite party no. 2 but then in these six years he has not even bothered to take care of the children who are staying with the opposite party no. 2 which amply demonstrates the conduct of the petitioner. It is also submitted that before the learned District Judge an offer was given to the petitioner to keep the opposite party no. 2 and the children but then he refused as would manifest from the order impugned and even denied for mediation.

5. After hearing the learned counsel appearing on behalf of the opposite party no. 2, the Court is not inclined to



extend the privilege of anticipatory bail to the petitioner in connection with Complaint Case No. 549 of 2023 pending in the Court of learned Judicial Magistrate, 1st Class, Patna City/Successor Court.

6. Hence, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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