

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35360 of 2025

Arising Out of PS. Case No.-168 Year-2018 Thana- BUXAR COMPLAINT CASE District-
Buxar

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1. Jitendra Yadav @ Jitendra Singh Yadav son of Late Baliram Yadav
 2. Lakhmuni Devi Wife of Late Baliram Yadav
Both are resident of village- Magarkhai Bara PS -Gahmar District -Ghazipur
State U.P.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Kumari wife of Jitendra Yadav @ Jitendra Singh Yadav, D/o
Jawaharlal Yadav, R/o village- Kulhariya, Ps- Buxar Muffasil, District-
Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-06-2025 1. Heard learned counsel for the petitioners, learned

APP for the State and learned counsel for the opposite party

no.2.

2. The petitioners in this application pray for bail
apprehending their arrest in connection with Complaint Case
no.168C of 2018 registered for the offence punishable under
sections 498A, 323, 406, 504, 506 and 34 of the Indian Penal
Code and under sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the complainant
states that she was married to petitioner no.1 fourteen years ago.



Soon after the marriage, the accused persons including the petitioners herein who happen to be husband and mother-in-law of the complainant started to physically and mentally torture the complainant for non-fulfillment of demand of dowry by way of Rs.5 lacs, a motorcycle and a cow. The torture continued which led to filing of Complaint Case no.847C of 2010 on earlier occasion wherein also the petitioner no.1 agreed to keep the complainant with full dignity, however, he did not abide by his assurance. As a result of the subsequent torture, the complainant was forced to file another complaint in the year 2018.

4. Learned counsel for the petitioners submits that the petitioners who are the husband and mother-in-law of the complainant have been falsely implicated in the case. He has always been ready to keep his wife with full dignity and honour and there is still chance of amicable settlement between the parties. The allegations of torture are false and concocted. The matter being one of matrimonial dispute, a liberal view be taken.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the complainant. Learned counsel for the complainant submits that in a case of the year 2018, cognizance of the offence was taken by order dated 26.11.2019 and after exhausting all processes, by order



dated 18.9.2024 the two petitioners herein as also others were declared absconders.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the complaint, the application for bail having been moved in the learned Court below six years after the order taking cognizance and the petitioners having been declared absconders by order dated 18.9.2024, certified copy of the order of which is produced by the complainant in Court, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

7. The petitioners are directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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