

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49378 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- MAHILA P.S District- West Champaran

Ghanshyam Kumar Son of Kedar Yadav village -ward no.13 Bardadhiya
Dadhiya P.S.- Semra District -West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Kumari Wife of Ghanshyam Kumar village -ward no.13 Bardadhiya
Dadhiya P.S.- Semra District -West Champaran Presently Village- Rajwatia,
Po- Chakhni, ps- Bagaha 1, Dist- West champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khushi Awadh, Adv
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Mahila (Bagaha) P.S Case No. 41 of 2024 registered for the
offences punishable under Sections 341, 323, 498A, 504, 506
and 34 of the IPC of the Indian Penal Code.

3. As per allegation in the FIR, petitioner along with
the other accused persons had assaulted the informant for non
fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner is always ready to live happily with the



informant but informant does not want to come to the house of the petitioner.

5. However, learned APP for the State oppose the prayer for anticipatory bail of the petitioner.

6. On perusal of materials available on record, it appears that vide order dated 11.08.2025, learned counsel on behalf of the petitioner submits that petitioner will personally go and bring back the O.P. No. 2 along with the child on or before 13.08.2025 to their matrimonial home and on this reason, case was adjourned. Again vide order dated 17.10.2025, learned counsel for the petitioner seeks one more chance be given to the petitioner to comply the order dated 11.08.2025 and the case was adjourned for 14.11.2025. Today, learned counsel for the Informant submits that till date petitioner had not come to take O.P. No. 2 nor to the child to their matrimonial house.

7. On perusal of the FIR, case diary and the impugned order dated 27.06.2025, it appears that both the petitioner and Opposite party No. 2 had appeared before the Trial Court and petitioner had accepted that he will take Opposite Party No. 2 to their matrimonial home but petitioner had left Opposite Party No. 2 in the Court Premise. Here in this Court also, two opportunities vide order dated 11.08.2025 and vide order dated



17.10.2025 were given to the petitioner to take Opposite Party No. 2 along with child to the matrimonial home but petitioner had not complied this Court's order and this rigid behavior of the petitioner will not be able to resolve the dispute among the parties. So, considering the aforesaid fact and circumstances, and the rigid behavior of the petitioner, the anticipatory bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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