

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62178 of 2024

Arising Out of PS. Case No.-1337 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Vilash Yadav Son Of Saryug Yadav R/O Village- Awgil, P.S. -ARIYARI, (OP
Kasar), District -SHEIKHPURA Petitioner/s

Versus

1. The State of Bihar
2. Anshu Devi Wife Of Vilash Yadv R/O Village- Chak Awgil, P.S. -Ariyari,
(op Kasar), District -Sheikhpura P/A- D/O- Rajo Yadav, Village- Rajebigha,
Ps- Pakribarwan, Dist- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Verma, Advocate
For the Informant	:	Mr. Rajesh Ranjan Kumar, Advocate
For the Opposite Party/s	:	Mr.Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 30-07-2025 Heard Mr.Pramod Kumar Verma, learned counsel for

the petitioner, Mr. Rajesh Ranjan Kumar, learned counsel for

opposite party No.2 and Mr.Akshay Lal Pandit, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.1337 of 2022, registered
for the offences punishable under Sections 323, 307, 498A, 494,
379 of IPC.

3. Prosecution case, in short, is that marriage of
complainant Anshu Kumari was solemnized with Bilas Yadav in
year 2007. After some days her Father-in-law and Sister-in-law
began to torture her and demanded dowry. A girl was born in
2009, her name is Punam Kumari. Her father-in-law and



mother-in-law put pressure on complainant for demanding money from her father. Six months ago the accused persons including the petitioners dragged the complainant from her matrimonial house. Complainant's husband contacted another marriage with a second girl namely Kosami Devi. After knowing this, the complainant went to her matrimonial house but she was not allowed to enter the house. After Panchayati, she lived in in-laws house. After 3-4 days her husband came back at his home with his second wife. Kosami Devi tried to burn the complainant pouring kerosene oil but she was protected by the villagers.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition and petitioner has been made accused in the present case merely on the ground that he is husband of the complainant and no case is made out under Section 498A of IPC against the petitioner.

5. Learned counsel for the petitioner submits that on 23.06.2025 when the matter was taken up for consideration of the bail petition of the petitioner, learned counsel for the complainant fairly submits that the petitioner has performed the



second marriage, so complainant is not in a position to live with the petitioner and she wants one time settlement with the petitioner and this Court has directed the petitioner to file a supplementary affidavit stating therein that how much amount he is ready to pay to the complainant for the settlement of the dispute.

6. In compliance of the aforesaid order, the petitioner has filed a supplementary affidavit stating therein that a Panchayati was organized in Gram Kachahari, Barua Panchayat bearing Case No.51 of 2022 on 19.05.2022 in presence of both the parties. In light of the aforesaid Panchayati dated 19.05.2022, the father of the petitioner has executed a sale deed of the land on 16.09.2022 in favour of opposite party No.2, namely, Anshu Devi bearing Khata No. 60, Khesra No.389, Area 1 $\frac{1}{4}$ dismil (about 05 katha) for the maintenance of Opp. Party No.2.

7. Learned counsel for the complainant, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner has cheated the complainant. Although the father of the petitioner has executed a sale deed in favour of the complainant but from a bare perusal of the sale deed (Annexure-P/3 of the supplementary affidavit)



which suggests that the same was executed by the father of the petitioner in favour of the complainant and the petitioner in their joint name and the same is not executed in favour of the complainant. It appears from the record that despite of number of indulgence granted to the counsel for the petitioner as he sought for that he will rectify the aforesaid sale deed but till date no action whatsoever taken by the petitioner. It appears from the aforesaid, the petitioner has played a Game with the Court in one hand that he has informed this Court that the father of the petitioner has executed a sale deed in favour of opposite party No.2 and in another hand, it appears from the sale deed that the same was executed in favour of the complainant as well as in favour of the petitioner.

8. Considering the aforesaid facts, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Complaint Case No.1337 of 2022, pending in the court of learned S.D.J.M., Nawada.

9. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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