

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85696 of 2024

Arising Out of PS. Case No.-820 Year-2023 Thana- COMPLAINT CASE - SHERGHATI
District- Gaya

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Pramod Kumar S/O Dara Prasad R/O Village- Padumchak, P.S- Barachati,
Distt.- Gaya (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Kumari W/O Pramod Kumar, D/O Bhuvneshwar Mahtoo R/O Village-
Matihani, Post- Itwa, P.S- Mohanpur, Distt.- Gaya (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP
For the O.P. No. 2	:	Mr. Akash Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the O.P. No. 2.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 820 of 2023, dated
01.12.2023, filed for the offences punishable under Sections
498A and 494 of the Indian Penal Code.

3. As per allegation, the complainant-wife has entered
into the marriage with the petitioner in the year of 2018 and
thereafter, one daughter is also born out of the wedlock.
However, on account of demand of dowry and non-fulfillment
of the same, marriage is running into rough weather and the
complainant-wife and her daughter have been ousted from the



matrimonial home and the petitioner-husband has entered into the second marriage. Hence, cognizance of offence punishable under Sections 498A and 494 of the Indian Penal Code has been taken by learned Court below.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has not entered into the second marriage, nor was any demand of dowry, but complainant-wife has deserted him on her own.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedents.

7. However, learned APP for the State and learned counsel for the O.P. No. 2 vehemently oppose the prayer of the Petitioner for bail submitting that the allegation against the petitioner is serious, because the complainant-wife and her minor daughter have been ousted from the matrimonial home and the petitioner has entered into the second marriage.

8. Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on anticipatory bail



and hence, the anticipatory bail petition of the petitioner is
hereby rejected.

(Jitendra Kumar, J)

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