

In the Court of Sessions Judge, Samastipur

A.B.P.No. 3117 of 2022

Rajeev Ranjan Mishra Vrs. The State of Bihar

06. 20.01.23

Heard Dr. Arvind Kumar Jha, learned counsel for the petitioner and Sri Hamendra Kumar Yadav, learned P.P for the State on the anticipatory bail petition of petitioner **Rajeev Ranjan Mishra**, who apprehends his arrest in connection with C.R. No.89 of 2022, T.R. No. 1993 of 2022, in which cognizance has been taken under Sections 323, 341, 498A of the I.P.C, and Section 34 of the D.P. Act.

The learned counsel appearing on behalf of the petitioner submitted that petitioner is the husband of the complainant and being husband neither he has demanded dowry nor tortured his wife rather the fact is he is ready to keep his wife with full honour and dignity, but it is complainant, who is not ready to live with the petitioner so, he may be given the benefit of anticipatory bail.

The Ld. P.P has submitted that petitioner is the husband of complainant and he due to non-fulfillment of demand of motorcycle tortured the complainant from various sorts and later on kicked her out from the matrimonial house after keeping her all belongings so, he does not deserve anticipatory bail.

Today complainant along with petitioner were appeared in the court. On being asked by the court the complainant has stated that brother of the husband wants to make illicit relation with her,

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20.01.23 which the complainant was not agreed for that, therefore, torture has been committed by the petitioner.

On the other hand, the petitioner, who is the husband of the complainant has denied the allegation made by the complainant.

Perused the anticipatory bail petition as well as complainant petition. It appears that petitioner is the husband of complainant and main allegation of torture for non-fulfillment of demand of motorcycle after marriage is against him and being husband, it is his pious duty to maintain his wife, in which he has badly failed and has not protested against the act of his brother.

Considering the aforementioned facts and circumstances of the case, I am not inclined to admit the petitioner on anticipatory bail, accordingly, his prayer for anticipatory bail stands rejected. (Dictated)

Sessions Judge