

IN THE COURT OF ADDITIONAL SESSION JUDGE- V, GOPALGANJ

A.B.P. NO. 2145/2023

Decided on 27.09.2023

- 1- Sanjay Kumar Ram, aged about 45 years, S/o Late Ramnath Ram,
R/o Village- Isarpatti, P.S. Bishambharpur, District- Gopalganj

:.....Petitioner

Versus

State of Bihar

:.....Respondent

Anticipatory bail application on behalf of the petitioner Sanjay
Kumar Ram S/o Late Ramnath Ram.

Present: Shri Abu Samim Ansari, learned counsel for the petitioner
and Sri S.Reza, Learned I/C PP for the State.

ORDER

1. Vide this petition, petitioner has sought concession of anticipatory bail in a case arising out of Gopalganj (Mahila) P.S. Case No. 32/23, registered U/s 341,323, 498(A),420,406/34 of the I.P.C.
2. The above said case was registered on the written application of Saroj Devi W/o Sanjay Ram – petitioner wherein she has stated that her marriage was solemnized on dated 13-02-2006 as per Hindu rites and ceremony with Sanjay Kumar Ram. Her father had given cash rupees five lakh, utensils, furniture, electronic goods, clothes and jewellery worth Rs. five lakh i.e. total amounting to Rs. ten lakh. After marriage her Vidai ceremony was performed within one year and thereafter she went to her in laws house and lived happily there. In 2007 she got service as a teacher. In the meantime one son namely Arish Gautam was born. She further stated that her husband is also a teacher. Her husband used to keep account of her income. Her husband purchased land in Gorakhpur on dated 12-04-2018 and on dated 03-08-23 in

Kuchaikote after taking money from her. When her husband tried to sell the above said land then she protested and on that her husband , her brother-in-law Vijay Kumar and W/o Vijay Kumar namely Sushila Devi started abusing and beating her. Thereafter she and her husband started living in rented accommodation in Kuchaikote and after some time her husband ousted her from the rented accommodation and thereafter she started living on ground floor on the same rented accommodation. Her husband, brother-in-law and W/o brother-in-law kept her stridhan and ousted her from the home on 04-04-2023. Even after Panchayati they did not allow her to live in the matrimonial home.

3. The court has heard the rival submissions of both the parties and also gone through the record carefully.
4. Learned counsel for the petitioner argued that the petitioner is quite innocent and has been falsely implicated in this case. Learned counsel for the petitioner further argued that the prosecution story is totally false, fabricated and concocted. With these arguments learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioner.
5. Per contra, learned. I/C P.P. for the State argued that the petitioner is husband of the informant and the offence alleged to have been committed by the petitioner is serious in nature, as such the petitioner is not entitled to grant of anticipatory bail.
6. Upon notice the complainant appeared before the Court and the Court tried to reconcile the matter between the parties but due to the apathetic approach of the petitioner, the petitioner did not agree to take the informant and 15 years old son with him. The Court has also perused the case diary. In para 7,8 and 9, the witnesses have fully supported the case of the prosecution. Adverting to the

present case, the thrust of allegation is against the petitioner and the petitioner is the husband of the informant.

7. Keeping in view the entire facts and circumstances of the present case, anticipatory bail of the petitioner is hereby dismissed.

Pronounced on 27-09-2023

(Dictated)

**(Yogesh Kumar Goel)
Addl. Session Judge - V
Gopalganj**