

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24519 of 2014

Arising Out of PS.Case No. -188 Year- 2012 Thana -MUNGER COMPLAINT CASE District-
MUNGER

Jaswant Rathaur @ Jaybant Rathaur @ Jaswanr Rothour, son of Sri
Rameshwar Azad, resident of village - Saidpur P.S.- Mansi, District -
Khagaria. Petitioner

Versus

1. The State of Bihar.
2. Bebi Devi, wife of Jaswant Rathur, D/o Shambhu Patel, at present
resident of Village-Karemandal tola, P.O.-Harinamar, Bishanpur, P.S.-
Bariarpur, District-Munger. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr. S. Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 28-01-2015

Heard learned counsel for the petitioner and learned
counsel for the State. None appears on behalf of the opposite
party no. 2.

By order dated 22nd July, 2014, the petitioner was
granted provisional bail.

It has been contended that the petitioner has been
implicated in a false case in which cognizance has been taken
for the offences punishable under Sections 498A of the Indian
Penal Code and 3/4 of the Dowry Prohibition Act and despite
the best efforts made by the petitioner, the opposite party no. 2 is

not willing to live with him. The petitioner had already filed a matrimonial case vide Matrimonial Case No. 6 of 2012 dated 23rd January, 2012 under Section 9 of the Hindu Marriage Act before the Principal Judge, Family Court, Khagaria for restitution of conjugal rights which was allowed by the learned Principal Judge, Family Court, Khagaria on 3.1.2014 but despite that opposite party no. 2 is not ready to live with the petitioner.

Learned counsel for the State has opposed the prayer for bail.

Be that as it may, regard being had to the facts and circumstances of the case, the provisional bail granted to the petitioner vide order dated 22nd July, 2014 is hereby confirmed.

(Ashwani Kumar Singh, J.)

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