

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9176 of 2017**

Arising Out of PS.Case No. -405 Year- 2015 Thana -MUNGER COMPLAINT CASE District-  
MUNGER

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Niranjan Jha son of Late Bhavani Jha, resident of mohalla- Aman Path  
Holding No. 185 Adarsh Nagar, P.S. Sidhgora, Town Jamshedpur, District-  
Singhbhum.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari W/O Niranjan Jha and D/O Sanjiv Jha, resident of Village-  
Dhektola Rataitha, P.S. Rataitha, P.S. Haweli Kharagpur, District-  
Munger.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjiv Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

4      04-05-2017                      Heard the learned counsel for the petitioner as well as  
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner  
apprehends his arrest in connection with Complaint Case No. 405  
C of 2015 for the offence punishable under section 498 A of the  
I.P.C.

The complainant was married to the petitioner on  
20.05.2013 and thereafter second marriage (Duragaman) was  
performed in July, 2014 and then the complainant went to her in-  
laws house and after three months the petitioner and other in-laws  
started demanding Hero Honda motorcycle and Godrej Freeze



which was not fulfilled and due to non fulfillment she was being tortured and assaulted by the petitioner and other in-laws and for one-two days she was locked in the room without food. Thereafter the complainant came back to Village- Rataitha and again on 30.01.2015 the petitioner brought the complainant at Jamshedpur and started pressurizing her to put signature on the stamp papers and on refusal she was assaulted and then she was sent back to Rataitha. The petitioner used to come at Rataitha and used to abuse and assault her. The petitioner lived at Rataitha since 28.02.2015 to 02.03.2015 and on 03.03.2015 he returned back.

Submission is of false implication and that inspite of notice the opposite party no.2 has not appeared here, the petitioner has filed Matrimonial Suit No. 125 of 2015 in the court of the Principal Judge, Family Court, East Singhbhum at Jamshedpur where also the respondent Puja Kumari has not appeared and did not file the written statement and ultimately the said suit was decreed by the judgment dated 14.12.2016, the marriage solemnized between the parties was dissolved by the decree of divorce and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. after going through the judgment, Annexure-4, fairly submits that the matrimonial suit has been



decreed and the marriage solemnized between the parties has been dissolved.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. Sri Sone Lal Rajak, J.M. 1<sup>st</sup> Class, Munger in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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