

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75153 of 2019

Arising Out of PS. Case No.-907 Year-2018 Thana- COMPLAINT CASE District- Araria

SHAMBHU JHA @ SHAMBHU KR. JHA Son of Bishun Jha @ Bishwanath
Jha Resident of Village-Dihiya, P.S.-Jalalgarh, District-Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ruby Devi, D/o Dayanand Thakur, W/o Shambhu Jha, R/o Vill-Parihari,
P.S. Raniganj, Dist-Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma
For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and learned
counsel for the O.P. No. 2.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No. 907C of 2018 registered under Sections
498A of the Indian Penal Code and Section 4 of D.P. Act.

It is submitted by the learned counsel for the
petitioner that there is no truth behind the allegation of
subjecting the complainant to cruelty for non-fulfillment of
demand of dowry. Admittedly, the marriage took place in 2011
and out of the wedlock, the couple is blessed with two minor
daughters. It is contended that the allegation of demand of
dowry after about eight years of marriage is unbelievable. It is
further contended that the case against the petitioner has been



instituted on account of some matrimonial discord and incompatibility.

Learned counsel for the O.P. No. 2 while opposing the prayer for grant of pre-arrest bail to the appellant submitted that the complainant is willing to restore her relationship with the petitioner, in case he keeps her well in her matrimonial house.

Learned counsel for the petitioner submitted that as a matter of fact, the petitioner is also interested in keeping his wife in matrimonial house with full dignity and honour as she would be helpful in bringing up the minor daughters.

Regard being had to the facts and circumstances of the case as also the nature of allegation, in the event of arrest or surrender before the court below, the petitioner named above is directed to 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 learned S.D.J.M, Araria in connection with Complaint Case No. 907C of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

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