

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81924 of 2019

Arising Out of PS. Case No.-443 Year-2009 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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NIRANJAN SINGH S/o Lalan Singh R/o village- Chhotaki Bithwal Khurd,
P.S.- Baburi, Distt.- Chandauli (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Devi W/o Niranjan Singh, D/o Late Suraj Singh At present R/o
Mohalla- Premchandra Road Gaurkshni Sasaram, P.S.- Sasaram, District-
Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

7 29-01-2021 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 443 of 2009, registered under Section
498 of the Indian Penal Code and Section 3/4 of Dowry
Prohibition Act.

The accusation is that the marriage of
complainant /O.P. No.2 Shobha Devi was performed with
petitioner in the year 2001 and, thereafter, O.P. No.2 went at
her matrimonial house, where she was blessed with one male
and one female issues. It is alleged that while she was kept at
her Sasural about five years, but, thereafter she was being



tortured for demand of Rs. 50,000/- by her husband and other in-laws and threatening was also being given to perform re-marriage by her husband (Petitioner), if the demand would not be fulfilled. Thereafter, on 03.04.2009, the brother and uncle of O.P.No.2 came at her Sasural and gave Rs. 25,000/- to Munna Singh, brother of her husband, but in spite of that she was being tortured for remaining amount of Rs.25,000/-. On 09.04.2009, her husband (Petitioner) came in drunken state and caused assault through rod at her head, as a result, she become unconscious and thereafter, she was removed from her matrimonial house.

Learned counsel for the petitioner submits that, in fact, petitioner is suffering from schizophrenia and his treatment is going on in Kanke Mental Hospital. Further submission is that O.P. No.2, who is wife of the petitioner, is a teacher and only to harass the petitioner, she lodged this case with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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. Sasaram,
Rohtas in connection with Complaint Case No. 443 of 2009,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Rajendra Kumar Mishra, J)

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