

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45122 of 2021**

Arising Out of PS. Case No.-8 Year-2021 Thana- MAHILA PS District- Jehanabad

SHYAM KUMAR S/O RAMNARAYAN MAHTO, R/o village and P.S.-
Ghosi, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR AND ANOTHER.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 08-08-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner. None
appeared on behalf of opposite party No. 2 despite the fact that the
notice was personally served on her on 07.01.2022.

The petitioner apprehends his arrest in connection with
Jehanabad Mahila P.S. Case No. 8 of 2021 registered for offence
punishable under sections 341, 323, 498A, 34 of the Indian Penal
Code and sections 3/4 of the Dowry Prohibition Act.

As per allegation, the marriage of the couple was
solemnized in the year 2018. The couple were blessed with a male
child, but when the informant was again in the stage of pregnancy,
she was ousted from her matrimonial house due to non-fulfillment
of dowry demand of Rs.2,00,000/-.

The learned counsel for the petitioner has submitted that



the petitioner has tried his level best to keep the informant with full dignity and honour, but she is not ready to reside with him. He has submitted further that the petitioner filed a suit for restitution of conjugal rights, but opposite party no. 2 never appeared in that case. Her apathy in restoration of conjugal rights is apparent, as she has received notice in the month of January, 2022, but as yet she never turned up.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 8 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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