

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49511 of 2019**

Arising Out of PS. Case No.-1220 Year-2018 Thana- BEGUSARAI COMPLAINT CASE  
District- Begusarai

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HEMANT KUMAR Son of Sachchida Nand Singh Resident of Village -  
Baluahi, ward no. - 24, P.S.- Khagaria, Distt - Khagariai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Astuti Priya D/o Ramakant Rai Resident of Village - Chakiya - Naya tola,  
P.S.- Barauni (Chakia), Distt - Begusarai.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shubhesh Pandey  
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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

ORAL ORDER

8      08-08-2022                      Heard the learned counsel for the petitioner.

None appeared on behalf of opposite party no.2.

The petitioner apprehends his arrest for the offences  
alleged under Section 498(A) of the Indian Penal Code,  
registered in connection with Complaint Case No. 1220 of 2018.

There is allegation that the petitioner and his family  
members subjected the complainant to atrocity for non-  
fulfilment of dowry demand and cash. The parents of the  
petitioner also threatened to get him married to another lady.  
The complainant was ousted from matrimonial home.

The learned counsel for the petitioner has submitted  
that the petitioner was ready to keep the complainant with full  
dignity and honour. She was not ready to reside with the  
petitioner, a such, he filed a case for restitution of conjugal right,  
which was filed in the month of February, 2018 and thereafter in



July, 2018, the present complaint petition was filed. The complainant refused to reside with the petitioner and having no option he had to file a divorce case after withdrawing the case of restitution of conjugal right. He has further submitted that as per the direction of this Court, vide order dated 19.04.2022, he cleared all the dues of interim maintenance. He has also submitted that he would comply with the order of the Principal Judge, Family Court whereby the interim maintenance was allowed.

Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, 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 SDJM, Begusarai in connection with Khagaria Complainant Case No. 1220 of 2018, subject to the conditions as laid down under Section 438(2) Cr. P.C.

**(Nawneet Kumar Pandey, J)**

HR/-

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