

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60483 of 2021**

Arising Out of PS. Case No.-44 Year-2021 Thana- MAHILA P.S. District- Kaimur (Bhabua)

NITYANAND SINGH Son of Sriknat Singh Resident of Village- Parsthuan,
P.S.- Parsthua, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sunil Kumar Singh No.10
For the Opposite Party/s :	Mr. Yogendra Kumar, Addl Public Prosecutor
for the Informant	Mr. Babu N. Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 17-10-2022 Heard learned counsel for the petitioner, the informant
and the State.

Petitioner apprehends arrest in registered for the
offences punishable under Sections 323/498A/34 of the Indian
Penal Code and under sections 3/4 of the Dowry Prohibition Act.

Petitioner is the husband of the daughter of the
informant and it is alleged that he and his family members
assaulted the victim due to non-fulfilment of demand of dowry
and finally ousted her from the matrimonial house.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. He submits
that the victim out of her own will left her matrimonial house
and she never returned in spite of his best efforts. He is still



ready to keep her with honour and safety. Petition for restitution of conjugal rights has also been filed by him, though Divorce Suit No. 76/2021 dated 17.2.2021 has been filed by the informant side. It is stated in paragraph 3 of the bail petition that the petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail submitting that there is specific allegation against the petitioner that he and his family members assaulted the victim due to non-fulfilment of demand of dowry and finally ousted her from the matrimonial house.

Considering the specific allegation against the petitioner, his prayer for bail is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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