

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.883 of 2020

Arising Out of PS. Case No.-336 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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BADA BABU SINGH S/o Late Kanchan Singh Resident of Village- Dhanhar
Dihuli (Dakshinwari Tola), P.S.- Ramgarhwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reeta Devi @ Geeta Devi W/o Bada Babu Singh, D/o Yamuna Singh, R/o
Village- Dhanhar Dihuli (Dakshinwari Tola), P.S.- Ramgarhwa, District-
East Champaran. Presently R/o Village- Dhanhar Dihuli (Purwari Tola),
P.S.- Ramgarhwa, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. In compliance of the order dated 25.02.2020, notice was
issued upon the O.P. No.2 but Office pointed out that the same
was received by father of the O.P. No.2 and therefore, a
jointness petition has been filed by learned counsel for the
petitioner, whereby it is stated that the O.P. No.2 is living along
with her father after leaving her matrimonial house since long.

3. In that view of the matter, the notice is deemed to be
validly served upon the O.P. No.2 and nobody appears on her



behalf.

4. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 323 and 498A of the IPC and $\frac{3}{4}$ of Dowry Prohibition Act.

5. Allegedly, the petitioner being the husband of the complainant is said to have tortured her for dowry demand and thereafter ousted her out of the matrimonial house.

6. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to grudge. He has never made any dowry demand nor has tortured the complainant. It is further stated that the O.P. No.2 has married with other person, which fact has been stated in the jointness petition at para-4. Petitioner has no criminal antecedent and he is 100% handicapped, which is mentioned in para-6 of the bail petition.

7. Learned APP for the State opposed the prayer for bail.

8. 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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.C-336/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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