

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21319 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- MAHILA PS District- Buxar

RAJ KUMAR S/O SHRI AWADHESH KUMAR PRASAD R/o village-
Chenari Dih, P.S.- Chenari, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. MRS DURGESH KUMARI W/o Shri Raj Kumar, D/o Shri Gayan Kumar
Ram Resident of Sohanipatti, P.S.- Buxar Town, Distt.- Buxar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shantanu Kumar, Advocate

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 11 12-09-2023 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.
2. The petitioner in this application prays for
anticipatory bail apprehending his arrest in connection with
Buxar Mahila P.S. Case no.31 of 2021 registered for the offence
punishable under sections 498A, 341, 323, 504, 506 and 34 of
the Indian Penal Code.
3. As per the prosecution case, the informant was
married to the petitioner on 20.2.2014. After reaching her
sasural, the accused persons treated her well for sometime but
soon thereafter they started making demand of a four-wheeler
vehicle by way of dowry. She used to be physically tortured and



assaulted and subsequently came with her brother. The informant further states that on visiting her sasural later on, they forced her daughter to remain in the informant's sasural while the informant somehow managed to return.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case on account of his being the husband of the informant. The entire allegations levelled in the F.I.R. are false and concocted. The petitioner has purchased his own car after obtaining loan from the Bank. There is a girl child aged about 7 years out of the wedlock. The difference between the parties is mainly for the reason that while the petitioner wanted to build a house in Sasaram, the informant wants the petitioner to purchase and build a house in Buxar ie near the house of her father. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct allegation against the petitioner in the F.I.R. who happens to be the husband of the informant. It is submitted at the Bar that Maintenance Case no.62 of 2021 filed by the informant is pending before the Principal Judge, Buxar.



6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., a maintenance case being pending before the learned Principal Judge, Buxar together with the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Buxar Mahila P.S. Case no.31 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

