

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38018 of 2023

Arising Out of PS. Case No.-413 Year-2022 Thana- BHORE District- Gopalganj

Dharmendra Singh S/O Late Mahatam Singh R/O Village- Bhopatpur, P.S-
Bhore, Distt.- Gopalganj, Bihar ... Petitioner

Versus

1. The State of Bihar
2. Suman Devi W/O Dharmendra Singh R/O Village- Bhopatpur, P.S- Bhore,
Distt.- Gopalganj, Bihar. Presently residing at- D/O Late Dhrupdev Singh,
R/O Gehua Tola, Jalalpur, P.S- Jamo, Distt.- Siwan, Bihar.
... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Indrajeet Bhushan, Advocate
For the State	:	Ms/Mrs. Pushpa Sinha, Addl Public Prosecutor
for opposite party no.2	:	Mr. V.K.Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-12-2023 Heard learned counsel for the petitioner, the State and
opposite party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498A/34 of the Indian
Penal Code.

3. As per the prosecution case, petitioner was married
to opposite party no.2 on 22.4.2009 and they have two children
out of the wedlock. Petitioner has illicit relation with the wife of
his elder brother, who lives in foreign and when the same is
opposed by opposite party no.2, he used to harass, humiliate and
beat her. He was in habit of coming to the home in drunken state
and that time he used to lock the room from inside and lit her
with a cigarette for pressurizing her not to disclose his affairs.



Opposite party no.2 has further alleged that at times petitioner prevented her to take food and bolted the room from outside. Act of the petitioner made her mentally depressed. On 18.8.2022, petitioner took her outside the house on the Bolero vehicle and dropped her alone in Bhore market from where she reached her parent's house.

4. Learned counsel appearing for the petitioner while denying the allegation, submits that opposite party no.2 had suspicious attitude towards the petitioner and thus ruined the matrimonial harmony of the family. Finally, she herself left the matrimonial house with the children. There is no demand of dowry as per allegation made in the FIR.

5. Learned counsel for the State and opposite party no.2 oppose the prayer for bail. They submit that the petitioner is husband of opposite party no.2. He is named in the FIR with direct and specific allegation of torture and harassment against him. In spite of efforts made by mediators, dispute has not been resolved between the parties. Petitioner has driven out opposite party no.2 and her two children from her matrimonial house and is not maintaining her.

6. Considering the nature and gravity of allegation and the fact that petitioner is husband of opposite party no.2,



prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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