

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37355 of 2023**

Arising Out of PS. Case No.-147 Year-2022 Thana- ROHTAS COMPLAINT CASE District-  
Rohtas

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HARINANDAN SINGH SON OF BABAN SINGH @ BACHAN SINGH  
RESIDENT OF VILLAGE- THAKUR BIGHA, P.S.- KACHCHWA,  
DISTRICT- ROHTAS

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PRAMOD YADAV SON OF LATE SURYAVANSH YADAV RESIDENT  
OF VILLAGE- KARATH, P.S.- TARARI, DISTRICT- BHOJPUR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      22-08-2023                      1. Heard learned counsel for the petitioner, learned  
  
APP for the State and learned counsel for the Opposite Party  
  
no.2 who has appeared suo motu.

2. The petitioner in this application prays for bail  
apprehending his arrest in connection with Complaint Case  
no.147 of 2022 registered for the offence punishable under  
sections 498A and 323 of the Indian Penal Code.

3. As per the allegation in the complaint, the sister  
of the complainant was married to the petitioner in the year  
2003. Subsequently a child was born to them on 2.2.2006. It is  
further stated that the petitioner entered into second marriage in  
the year 2009. The allegation of abusing, assaulting and forcing



the sister and the nephew (*Bhagina*) of the complainant out of the house is also made.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegation as levelled in the complaint are denied. Further referring to the allegations of marriage etc., it is submitted that the same took place more than 14 years back in the year 2009. So far as the allegation of abuse, assault and throwing the sister of the informant and his *Bhagina* out of the house is concerned, the same is lacking in details in so far as neither the date nor the time of the so called occurrence has been given. It is finally submitted that 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 Opposite Party no.2. It is submitted by learned counsel for the complainant that there is direct and specific allegation against the petitioner who happens to be the husband of the complainant's sister. So far as the date and time of occurrence is concerned, the same has been given as having taken place from 25.8.2021 till date.

6. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the allegations being vague and lacking in material



details in so far as neither the date nor the time of occurrence with respect to the assault etc. having been made in the complaint 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 Complaint Case no.147 of 2022 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 Judicial Magistrate 1<sup>st</sup> Class, Bikramganj, Rohtas.

**(Partha Sarthy, J)**

Saurabh/-

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