

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44514 of 2023

Arising Out of PS. Case No.-156 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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VEER BALAK MAHTO SON OF RAM VILASH MAHTO RESIDENT OF
VILLAGE- MADHU TOL, PS- KHANPUR, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. RINKU DEVI WIFE OF VEER BALAK MAHTO RESIDENT OF
VILLAGE- KHANPUR, P.S.- KHANPUR, DISTT- SAMASTIPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP
Mr.Anant Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-10-2023 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 498-A and 494 of the IPC and
section 4 of the D.P. Act.

3. Petitioner, who is husband of the complainant, is said to
have tortured the complainant for several years for non-
fulfillment of demand of dowry and ousted her out of the
matrimonial house.

4. 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. No such



occurrence, in the manner as alleged, has ever taken place. It is submitted that earlier the complainant has filed a complaint case in similar nature of offence against the petitioner and the same was compromised between the parties and therefore, the case stood dismissed in the Court below itself. The petitioner has also registered a piece of land in favour of the O.P. No.2, which is clear from Annexure-2 of the bail application. It is submitted that after getting consent of the O.P. No.2, the petitioner has solemnized second marriage, which fact has not been denied by the O.P. No.2. It is further submitted that a maintenance case was also filed by the O.P. No.2 in the Court below, which was decided in favour of the O.P. No.2 and in the maintenance case, the Court below has directed the petitioner to pay Rs.5000/- to the O.P. No.2 and Rs.1000/- to the child of O.P. No.2. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail.

6. 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.156 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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