

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52754 of 2023

Arising Out of PS. Case No.-534 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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SHASHANK SON OF SRI PRAMOD KUMAR SINGH R/O VILLAGE-
WALIPUR, JAMALPUR, NEAR SHIV MANDIR, P.S.-JAMALPUR,
DISTT.-MUNGER

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KAJAL KUMARI DAUGHTER OF BIRENDRA KUMAR R/O
MUHALLA-SHIV NAGAR, NAWADA. P.S. AND DISTT.-NAWADA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Complaint Case no.534 of 2022 wherein cognizance has been taken under section 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the complainant was married to the petitioner in the year 2019. The complainant states that gifts and jewellery as described in the complaint was given at the time of marriage, however the accused persons including the petitioner herein who happens to be the husband of the complainant continued to taunt her for bringing less



dowry. The petitioner demanded that a sum of Rs.1 lakh be brought from her father. She further states that the petitioner on coming to know about the sex of their unborn child also tried to abort her.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegations as levelled in the complaint are all false and concocted. It is submitted that the complainant deserted the petitioner which led to his filing a matrimonial case under section 13 of the Hindu Marriage Act on 8.3.2022 and the same was registered as Matrimonial Case no.42 of 2022 in the Court of Principal Judge, Family Court, Munger. It was only two months thereafter that the instant complaint has been filed by the Opposite Party no.2.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the complaint together with the filing of the divorce case by the petitioner prior to lodging of the complaint by the complainant, 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.534 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
Sub Divisional Judicial Magistrate, Nawada.

(Partha Sarthy, J)

Saurabh/-

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