

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55488 of 2022**

Arising Out of PS. Case No.-1507 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Rohit Kumar @ Rohit Sah Son Of Mantun Sah @ Mantun Shah R/O Village
-Barauni Flag, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Kumari Wife Of Rohit Sah, D/O Shankar Sah R/O Village - Lakho,
P.S.- Muffasil, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-01-2023 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel appearing on behalf of

opposite party no.2.

The petitioner apprehends his arrest in connection
with Complaint Case No.1507 of 2019, registered for the
offences punishable under Sections 323, 498(A), 406, 354, 376,
504 and 34 of the Indian Penal Code.

The allegation against the petitioner is of helping his
father in his wrong doings. The petitioner used to assault her
wife for non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no



criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that petitioner is husband of opposite party no.2 and there is general and omnibus allegation against him. It is submitted that the petitioner is ready to keep his wife with full honour and dignity.

Learned counsel appearing on behalf of opposite party no.2 submits that opposite party no.2 is also ready to live with her husband. It is submitted that opposite party no.2 has filed a maintenance case being Maintenance Case No.126 of 2019 in which the petitioner is not appearing.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Complaint Case No.1507 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner is directed to appear in Maintenance Case filed by his wife. If petitioner does not appear in Maintenance Case on two consecutive dates, the opposite party



no.2 would be at liberty to move for cancellation of bail bond of
the petitioner.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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