

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54907 of 2022**

Arising Out of PS. Case No.-714 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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SHYAM BABU JHA S/o Late Indrabhushan Jha Resident of Village-
Kalyanpur, Baitipur, P.S.- Bibhutipur, District- Samastipur. Petitioner/s
Versus

1. The State of Bihar
2. Chanchal Vats W/o Shyambabu Jha, D/o Laxmikant Ray Resident of
Village- Kalyanpur, Baitipur, P.S.- Bibhutipur, District- Samastipur.
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

- 2 04-02-2023 Heard the learned counsel for the petitioner as well as

Mr. Damodar Prasad Tiwary, the learned Additional Public

Prosecutor for the State. None appeared on behalf of the

informant, whereas *Vakalatnama* has been filed on her behalf.

The petitioner apprehends his arrest in connection with

Complaint Case No. 714C of 2021 registered for offence

punishable under sections 498(A), 307, 323, 379, 504/34 of the

Indian Penal Code.

As per allegation, the informant was married to the

petitioner in the year 2018. The accused persons tortured her

and subjected her to cruelty for non-fulfillment of demand of

dowry. She was ousted from her matrimonial house.

The learned counsel for the petitioner has submitted



that the petitioner has taken all the steps to keep the victim with full dignity and honour and he has filed a case for restitution of conjugal rights, but as a matter of fact, the victim herself is not willing to reside with him. Prior to filing of the present case, her aunt (*Bua*) had also filed a case against the petitioner and the relation has become irretrievable. Now, the petitioner is not in a position to keep the victim with him. He has also submitted that the petitioner is obeying the order of the learned Principal Judge, Family Court in the case of maintenance and he is timely paying Rs.3,000/- per month awarded to the victim as interim maintenance.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai in connection with Complaint Case No. 714C of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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