

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60087 of 2023

Arising Out of PS. Case No.-1111 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

RAJESH KUMAR son of Late Madan Prasad Sah Mohalla- Late Dr. Shyam
Narayan Sah P.O.- Mahendru P.S.- Sultanganj Dist- patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritu Raj wife of Rajesh Kumar, D/o- Raj Kishore Prasad Mohalla-
Bakerganj Imlital Po + Ps- Kadamkuan Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Adv.
For the Opposite Party/s	:	Mrs. Indu Kumari Srivastava, APP
For the O.P. No.2	:	Mr. Prashant Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-10-2023 1. Heard learned counsel for the Petitioner, learned
counsel for O.P. No.2 and learned APP for the State.

2. Petitioner apprehends his arrest in connection with
Complaint Case No. 1111(c) of 2019 registered for the offences
punishable under Sections 498A and 323 of the Indian Penal
Code.

3. The main submissions advanced by learned counsel
for the petitioner are that the petitioner is husband of the O.P.
No. 2(complainant) and their marriage solemnized in the year
2011 and there is no specific allegation of physical cruelty and
the petitioner is paying Rs. 3,000/- as maintenance to the
complainant in compliance with the Court's direction and the
case of O.P. No.2 is based on her complaint petition and in



between the petitioner and the complainant several cases are running.

4. Learned counsel appearing for O.P. No. 2 as well as learned APP appearing for the State has vehemently opposed the prayer for bail of the petitioner.

5. Considering the facts and circumstances of this Case as well as above submissions and also the fact, that the marriage of the petitioner with the complainant took place several years ago and the complainant has not made specific allegation of physical torture, in my opinion, the petitioner deserve to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case No. 1111(c) of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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