

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60876 of 2023

Arising Out of PS. Case No.-1135 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Ghanshyam Rai, aged about 30 years, male, son of Jiwachh Rai, resident of
Village- Shakarpura, PS- Hasanpur, Distt- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shilpi Kumari, aged about 20 years, female, wife of Ghanshyam Rai and
daughter of Rohit Singh, resident of village- Shakarpura, PS- Hasanpur,
Distt- Samastipur, presently resident of village- Manjhaul, PS-
Cheriyabariyarpur, Dist- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No.1135 of 2022 dated 01.07.2022, instituted
under Sections 498-A, 495, 497, 323, 420, 406, 504, 506 of the
Indian Penal Code in which cognizance has been taken under
Sections 498-A & 495 of the Indian Penal Code.

3. The allegation against the petitioner is that his
marriage was performed with the complainant on 23.04.2021
and after marriage when she went to her matrimonial home, no
relationship was established by the petitioner with her within the
period of seven days as the petitioner was married from before.



Thereafter, the accused persons abused and tortured her.

4. Learned counsel for the petitioner submits petitioner is the husband of the complainant. He is ready to keep her with full dignity and honour but she is not ready to live with him. Learned counsel further submits that from the impugned order itself it is clear that counsel for the complainant submitted in the court below that the complainant is not ready to go and live with the petitioner despite willingness of the petitioner to keep her with full dignity and honour.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai, in Complaint Case No.1135 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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