

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14984 of 2024

Arising Out of PS. Case No.-245C Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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SONU KUMAR S/O- SURESH PRASAD R/O- VILLAGE- MAULA, P.S.-
MANER, DIST.- PATNA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR R/O- VILLAGE- MAULA, P.S.- MANER, DIST.- PATNA
2. SUNITA DEVI W/O- SONU KUMAR R/O- VILLAGE- MAULA, P.S.- MANER, DIST.- PATNA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smita Kumari , Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-09-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State. Despite valid service of notice,

nobody appears on behalf of opposite party no. 2.

2. The petitioner, husband of the victim,

apprehends his arrest in a complaint case punishable for the

offence under Sections 498(A) and 494 of the Indian Penal

Code and Sections 3 and 4 of the D. P Act.



3 . As per complaint, the complainant solemnized marriage with this petitioner in the year 2012 as per Hindu rituals and after the marriage, when she went to her matrimonial house, she was subjected to torture and cruelty by this petitioner and other in-laws family members due to non-fulfillment of demand of dowry and lastly, she was ousted from her matrimonial house and it is further alleged that this petitioner also solemnized second marriage.

4. Learned counsel for the petitioner, while denying the allegations made in the Complaint, submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the victim. However, he is ready to keep the victim with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182*** . Petitioner claims clean antecedent.

5 . Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of the learned SDJM Danapur in connection with Complaint Case No. 245 of 2022 , subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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