

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8656 of 2024**

Arising Out of PS. Case No.-665 Year-2023 Thana- COMPLAINT CASE District- Araria

Vikash Kumar Roy S/O- Late Rajendra Roy R/O- Village- Gunwanti Ward  
No.- 1, P.S.- Bounsi, Dist.- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anuradha Devi W/O- Vikash Kumar Roy R/O- Village- Gunwanti, P.S.-  
Bounsi, Dist.- Araria.

... .. Opposite Party/s

**Appearance :**

|                    |   |                          |
|--------------------|---|--------------------------|
| For the Petitioner | : | Mr.Sunil Kumar           |
| For the State      | : | Mrs.Veena Kumari Jaiswal |
| For the O.P.-2     | : | None                     |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      06-05-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State. Despite valid service of notice, nobody  
appears on behalf of complainant / opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,  
apprehends his arrest in a complaint case punishable for the  
offence punishable under Sections 323, 498-A of the Indian  
Penal Code.

3. As per the prosecution case, the marriage of opposite  
party no. 2 was solemnized with this petitioner in the year 2007  
and out of the wedlock, three children (one daughter & two  
sons) have been born. It is alleged in the complaint petition that  
this petitioner committed torture and harassment with her for  
dowry. It is further alleged that petitioner has solemnized



second marriage with another lady and thereafter, all the accused persons ousted the complainant/opp.party no.2 from her matrimonial home.

4. Learned counsel for the petitioner, while denying the allegations made in the complaint petition, submits that petitioner has been falsely implicated in this case merely because he is husband of the opposite party no. 2. He further submits that opposite party no. 2 has falsely alleged that she was ousted from her matrimonial home, but true fact is that even today, she resides in the house of this petitioner and all the expenses are borne by him (petitioner). This statement has been made in paragraph – 10 of the bail petition. Moreover, the case is triable by the 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 has got clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within 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 Judicial Magistrate 1<sup>st</sup> Class, Araria in connection with  
Complaint Case No. 665 of 2023, 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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