

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9447 of 2024

Arising Out of PS. Case No.-1173 Year-2021 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Bikas Kumar Singh @ Bikash Kumar Singh Son of late Ram Babu Singh
Resident of Village-Farna, P.S.-Barahara, Distt.-Bhojpur. At present posted at
Champs. S. B. Birpur, 45 Battalion P.S. Birpur, Distt.-Supaul, Bihar, Pin-
854340

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gayatri Singh @ Gayatri Devi Wife of Bikash Kumar Singh, D/O Arvind
Kumar Singh Resident of Vill.-Kulhadiya, P.O.-Kulhadiya, P.S.- Kulhadiya,
P.S.-Koilwar, Distt.-Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmatma Singh, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 08-05-2024 Heard learned counsel for the petitioner, the State as
also the complainant.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 1173 (C) of 2021 instituted under
Sections 323, 342, 498(A) of the Indian Penal Code filed on
17.5.2022 by the informant, Gayatri Singh.

3. As per the complaint, the complainant was married
to the petitioner in the year 2015 but was always tortured for
dowry. When she was unable to fulfill the demand, the accused,
who is a S.S.B. Constable used to beat her. The family members
of the complainant tried to resolve the issue and the petitioner



earlier accepted it but later, after taking her to SSB, Muzaffarpur (where he was posted) he continued with his brutality. A complaint was filed before the Commanding Officer, SSB, Muzaffarpur and he gave direction for payment of one third of the petitioner's salary effective from 28.7.2020.

4. Later, a Panchayat took place, he promised that he will keep her happy and on that pretext, he stopped the maintenance of the complainant and once the affidavit was submitted on 17.3.2021 and the maintenance stopped, the accused retracted from his promise and which followed this complaint.

5. Learned counsel for the petitioner submits that the allegation made against him is unfounded. He wanted to keep her but she separated, use abusive language and as he was unable to stay with her Matrimonial Case No. 846 of 2020 was filed. He further submits that he will abide by the order passed in the said case.

6. Learned counsel appearing on behalf of the complainant on the other hand submits that a bare perusal of the complaint would show how he has tortured the lady repeatedly. Earlier, she was getting one third of the salary but on the good words of the petitioner, she gave an affidavit before SSB,



Muzaffarpur, the maintenance stopped whereafter, he again ill treated.

7. Considering the allegation that has come in the complaint as also the fact that the petitioner chose to get one third salary that was being extended to the complainant as maintenance installed, it would be appropriate that he seek bail.

8. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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