

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21447 of 2024

Arising Out of PS. Case No.-1114 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Amerika Uraon Son of Late Ragho Uraon Resident of Village - Chiutaha,
Police Station - Chiutaha, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jytoi Devi Wife of Amerika Uraon, Daughter of Yado Lal Uraon At Present Resident of Village - Jitpur Matiyariya, Police Station - Bagaha, District - West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Milind Kumar Mishra, Advocate
For the State	:	Mr. Akbar Ali, A.P.P.
For the O.P.-2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-06-2024 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 opposite party no. 2, apprehends his arrest in a complaint case punishable for the offence under Sections 323, 341, 498(A), 504 of the Indian Penal Code.

3. As per complaint case, the complainant was married with this petitioner in the year 2021 and at that time, valuables worth Rs. 5 lacs were given to the petitioner's side, but sometime after the marriage, the opposite party no. 2 was



subjected to torture and harassment by this petitioner and other in-laws family members due to non-fulfillment of additional demand of dowry and lastly, she was ousted from her matrimonial house.

4. Learned counsel for the petitioner, while denying the allegations made in the F.I.R., submits that petitioner is innocent and has been falsely implicated in this case merely because he happens to be husband of the opposite party no. 2. However, petitioner is still ready to keep the opposite party no. 2 at her matrimonial house with full honour and dignity. He further submits that prior to the present complaint petition, petitioner has already filed a complaint case against opposite party no. 2 and her father, vide Complaint Case No. 505 of 2022 (Annexure P-2) and only after getting the knowledge of this case, present complaint case has been filed. 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, 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 A.C.J.M. - III, Bagaha, District – West Champaran in connection with Complaint Case No. 1114 of 2022 (Tr. No. 1066 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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