

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21551 of 2024

Arising Out of PS. Case No.-1379 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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HARENDRA RAM @ HARENDRA KUMAR RAM S/O VIJAY RAM R/O
VILLAGE- GALCHAUR, POST OFFICE- SARAIYAN, P.S-
KRISHNAGADH (BADAHARA), DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. AASHA DEVI W/O SHIV KUMAR RAM R/O VILLAGE- ISHADHI,
POST OFFICE- BABHANIAON, P.S- AYAR, DISTT.- BHOJPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmatma Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-07-2024 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 341 , 323 , 504, 379, 498(A), 307 and 34
of the Indian Penal Code .

3. As per complaint, the daughter of the
complainant was married with this petitioner in the year 2013
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 .

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. He further submits that daughter of the complainant did not want to live with the petitioner and in this regard she has already filed a matrimonial case i.e. Matrimonial Case No. 61 of 2024 under Section 13 of Hindu Marriage Act has been filed against this petitioner for dissolution of marriage . 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 Judicial Magistrate First Class
Bhojpur in connection with Complaint Case No. 1379 (C) 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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