

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32957 of 2024

Arising Out of PS. Case No.-74 Year-2018 Thana- MAHILA PS District- Darbhanga

Dharmendra Sharma @ Dharmendra Thakur son of Late Ram Nath Sharma
R/o- Arai Ps- Simri Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suniti Devi wife of Dharmendra Thakur @ Dharmendra Sharma, D/o-
Parduman Sharma Moh- Mishriganj Ps- LNMU Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 28-08-2024 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 323 , 498(A) and 504 of the Indian
Penal Code .

3. As per prosecution case , informant got married
with this petitioner three years ago 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 F.I.R., 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 Darbhanga in connection with Mahila P S Case No. 74 of 2018 , 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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