

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34364 of 2024

Arising Out of PS. Case No.-925 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Jai Govind Tiwary @ Jaygovind Tiwari SON OF Shrikant Tiwari @ Srikant
Tiwary Resident of village- Dumri, P.O.- Chainpur, PS. - Bhabhua, District
Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANSI DEVI D/O SHASHIKANT TIWARI, W/O JAI GOVIND TIWARY
@ JAYGOVIND TIWARI AT PRESENT R/O VILLAGE AND P.O.-
MANGRAON SANNGRON, P.S.- RAJPUR, DIST- BUXAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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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 Section 498 (A) of the Indian Penal Code .

3. As per complaint, the marriage of the

complainant was solemnized with this petitioner in the year

2022 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 complainant did not want to live with the petitioner and in this regard petitioner has already filed a matrimonial case i.e. Matrimonial Case No. 164 of 2022 . 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 CJM Buxar in connection with Complaint Case No. 925 (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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