

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35495 of 2024

Arising Out of PS. Case No.-473 Year-2022 Thana- PATNA COMPLAINT CASE District- Patna

Suraj Mahto @ Surya Kumar Son of Saryug Mahto Resident of Village -
Math Laxmanpur Koiri Tola, Shiv Mandir, P.S. - Aalamganj, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sita Devi Wife of Suraj Mahto, Daughter of Birju Mahto Resident of Village - Math Laxmanpur Koiri Tola, Shiv Mandir, P.S. - Aalamganj, District - Patna. Presently resident of Mohalla - Bell Tal Danapur Registry office, Takiya Per, P.S.- Danapur, District.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Raju, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-09-2024 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 147, 149, 323 , 498(A) ,406, 379 and 34 of the Indian Penal Code and 3/ 4 of the D. P Act.

3 . As per complaint, the marriage of complainant was solemnized with this petitioner in the year 2019 according to Hindu rituals 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. 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 . Learned APP for the State opposed the bail petition .

6 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 in connection with Complaint Case No. 473 (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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