

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39563 of 2024

Arising Out of PS. Case No.-2287 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Ajit Kumar Sah, Son of Ashok Sah, Resident of Village - Nayatola, Manihari,
P.S. - Manihari, District - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manju Devi @ Anchal Kumari, Daughter of Jitendra Sah, Resident of
Kalibari Chowk, Purnia City, P.S. - Sadar, District - Purnia

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 17-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending
his arrest in connection with Complaint Case No. 2287 of 2022
registered for the alleged offences under Section 498 (A) of the
Indian Penal Code.

03. As per prosecution case, the petitioner is the
husband of the complainant and the allegations are about
demanding a motorcycle and assaulting the complainant-
opposite party no.2.

04. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. There has been no demand of any dowry or any torture related to the said demand. The marriage was solemnized on 17.02.2022 and the complaint case has been filed on 12.12.2022 and it is not believable that the alleged occurrence took place during this period when the complainant stayed in her matrimonial home only for 15 days. The father of the complainant was examined as CW 1 and he deposed that the complainant has been residing in his house for last one year and his deposition was recorded on 07.07.2023. In fact, the complainant suffers from some Neurological disorder and marriage was solemnized concealing this fact. Now the matter has been settled between the parties and a joint compromise petition has been filed before the learned trial court. The learned counsel further submits that notices were issued to the opposite party no.2, even after valid service of notice, none has entered appearance on behalf of the opposite party no.2.

05. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the nature of allegation, relationship of the parties and possibility of false accusation, let the petitioner above named, in the event of



his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea, in connection with Complaint Case No. 2287 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

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(Arun Kumar Jha, J)

