

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43522 of 2023

Arising Out of PS. Case No.-1022 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

Pintu Kumar Son Of Mosafir Chauhan Village- Mahwadpur Beldari Po-
Mahwatpur Ps- Asthawan Dist- Nalanda Petitioner
Versus

1. The State Of Bihar
2. Rekha Devi @ Rekha Kumari Wife Of Pintu Kumar,D/O- Suresh Chauhan
Village- Saidpur Milki, Ps- Hisua, Dist- Nawada At Present- Mahwadpur
Po- Mahwatpur Ps- Asthwan Dist- Nalanda
... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-06-2024 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498A,/494, 406, 323,
379 of the Indian Penal Code and sections 3 & 4 of the Dowry
Prohibition Act.

3. As per the prosecution case, petitioner along with
other family members committed torture on opposite party no.2
due to non-fulfilment of dowry demand. Petitioner ousted her
from the matrimonial house and also solemnized second
marriage with one Kanchan Devi.

4. Learned counsel appearing for the petitioner while
denying the allegations, submits that as a matter of fact
opposite party no.2 does not want to reside at her matrimonial
house, rather she wants that the petitioner should also live with
her at her parents house. However, he is ready to keep the
victim in matrimonial house with honour and dignity. The case
is triable by the 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**.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within 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 Sub Divisional Judicial Magistrate, Nawada in Complaint Case No. 1022 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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