

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46648 of 2024

Arising Out of PS. Case No.-45 Year-2023 Thana- MAHILA P.S. District- Bhojpur

Pankaj Kumar Pravin S/o Bharat Ram R/o vill - Chotki Sasaram, P.S. -
Udawanagar, Distt. - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Kumari W/o Pankaj Kumar Pravin, D/o Ram Ishwar Prasad R/o vill
and P.O - Chotki Sasaram, P.S. - Udawanagar, Distt. - Bhojpur at present
address R/o vill and Post - Pironta, P.S. - Ara Mufassil, Distt. - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shiv Prasad Gupta, Advocate.
For the State	:	Mr.Kalyan Shankar, APP.
For the O.P. No.2	:	Mr. Niraj Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 18-12-2024 Heard Mr. Shiv Prasad Gupta, learned counsel
appearing on behalf of the petitioner; Mr. Kalyan Shankar,
learned APP for the State and Mr. Niraj Kumar, learned counsel
for the opposite party no.2.

2. The petitioner seeks pre-arrest bail in connection
with Mahila P.S. Case No. 45 of 2003 registered for the offence
punishable under Sections 498(A), 323, 380, 34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The present case relates to strained matrimonial
relationship between the petitioner and the opposite party no.2
who are husband and wife respectively.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner wants to get the opposite party no.2 medically examined, but she has not accepted the same and in turn, she has lodged the complaint.

5. It is being informed by Mr. Niraj Kumar, learned counsel appearing on behalf of the opposite party no.2 that the opposite party no.2 is ready to undergo medical examination, however the petitioner wants to disown her which she don't want and just to obtain bail, petitioner has informed this Court that he is ready to get the opposite party no.2 medically examined though she is not facing any biological or any medical problem which can easily be settled between the parties and they can lead their happy matrimonial life.

6. For any physical and biological disability faced by any of the party who are husband and wife, they can take help of specialized doctor and lead a happy matrimonial life.

7. In such circumstances, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Mahila P.S. Case No. 45 of 2023, subject to



the condition as laid down under Section 438(2) of the Cr.P.C.

8. At this stage, learned counsel appearing on behalf of the petitioner upon instruction informs that he will incur all the expenses which will be met in medical examination and treatment, even they intend to go for IVF fertilization in any renowned hospital.

9. Opposite party no.2 has all liberty, in case she is still tortured in spite of the undertaking given on behalf of the petitioner.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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