

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49376 of 2024

Arising Out of PS. Case No.-692 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Subhash Ram Son Of Chandeshwar Ram Village- Pathkhaluli, Ps- Bagaha
(PATKHAULI) Dist- West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Rajwanti Devi Wife Of Subhash Ram Village- Pathkhaluli, Ps- Bagaha
(PATKHAULI) Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the
petitioner, apprehending his arrest, in connection with Tr. No.
1451 of 2023, arising out of Complaint Case No. 692 of 2022,
filed for the offences punishable under Section 498A of the
Indian Penal.

3. As per the allegation, the complainant was
subjected to cruel beating by the petitioner-husband.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that there is no allegation of any



demand of dowry and even to the Court's question, the complainant has stated that the case has been filed on account of land dispute. He further submits that there is no truth in the allegation of the complainant and the petitioner is ready to keep his wife and children with him. He also submits that the maximum punishment for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail submitting that the petitioner has subjected the complainant/wife to cruelty. He also submits that the petitioner is not giving any maintenance to the complainant and her minor daughter.

8. It appears that there is a matrimonial discord between the parties and grievance of the complainant is related to maintenance. For such grievance, they are advised to move before Family Court to adjudicating such matrimonial discord.

9. Considering the aforesaid facts and circumstances,



the provisional bail granted to the petitioner vide order dated
08.08.2024 is hereby confirmed.

(Jitendra Kumar, J)

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