

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45814 of 2024

Arising Out of PS. Case No.-440 Year-2023 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Premchand Kumar Son Of Ramsevak Mahato @ Ramsewak Varma Resident
Of Village - Malwan, P.S. - Khudwan, District - Aurangabad (BIHAR)
... .. Petitioner/S

Versus

1. The State of Bihar
2. Kavita Devi Wife Of Premchand Kumar, Daughter Of Basant Mahto
Presently Residing At Village - Dudhar, P.S. - Risiup, District - Aurangabad
(BIHAR)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Aman Vishal, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP
For the Complainant	:	Mr. Bachan Ji Ojha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-11-2024 Heard learned counsel for the petitioner and learned APP for
the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case registered for
the offence punishable u/s 323, 379, 498A,/34 of IPC, 1860.

3. Allegedly, petitioner (husband of the complainant) along
with his family members harassed and ill-treated the complainant
for demand of Rs. 3,00,000/- in dowry.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He has
been falsely implicated in this case. It is submitted that
complainant has filed maintenance case no. 72 of 2024, wherein
notice was issued to the petitioner and after his appearance, learned
court vide order dated 09.03.2024 allowed complainant to withdraw



said maintenance case no. 72 of 2024 on account of compromise entered in-between both parties on instance of learned court and their statements were recorded which is annexed as annexure 2 of supplementary affidavit. It is further submitted that petitioner has agreed to pay Rs. 3,000/- each month to complainant and to bring his wife back whenever she wishes and same is apperant from their statement recorded before learned Principal Judge, Family Court, Aurangabad, which is annexed as annexure 3 of the supplementary affidavit Petitioner has no criminal antecedent.

5. Learned APP for the State and learned counsel for the complainant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.440 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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