

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49372 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- KUTUMBA District- Aurangabad

Sudhir Yadav S/O Late Shambhu Yadav R/O Village- Neura, P.S- Kutumba,
Distt.- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Reena Devi D/O Karu Yada R/O Village- Bhiya Bigha (NAGAWAN), P.S-
Gurua, Distt.- Gaya (BIHAR).

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Pandey, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP
For the O.P. No.	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-12-2024 Heard Ld. counsel for the petitioner, Ld. APP for the
State and learned counsel for the O.P. No. 2.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Kutumba P.S. Case No. 264 of 2023, filed for the offences punishable under Sections 323, 341, 498A, 504, 506/34 of the Indian Penal and Section 3/4 of D.P. Act.

3. As per the allegation, there was demand of additional dowry and on account of non-fulfillment of the same, the complainant/wife has been subjected to cruelty by the petitioner-husband and other family members and ultimately, she has been ousted from the matrimonial home along with her



three children.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that on account of matrimonial discord, this false case has been filed. He also submits that the petitioner is ready to keep his wife in his matrimonial home.

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 and learned counsel for the O.P. No. 2 submit that the petitioner has subjected the complainant/wife to cruelty on account of non-fulfillment of demand of dowry and she has been ousted from the matrimonial home along with her three children. They also submit that the petitioner is not maintaining the complainant and her minor children.

8. It appears that there is a matrimonial discord between the parties and they are advised to move before Family Court to settle their dispute and the maximum punishment prescribed for the alleged offence is three years.



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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