

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64608 of 2021**

Arising Out of PS. Case No.-1595 Year-2019 Thana- VAISALI COMPLAINT CASE  
District- Vaishali

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LALBABU SAH Son of Jamiri Lal Sah Resident of Village - Barahampur,  
P.s.- Chaklalsi, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Devi W/o Lalbabu Sah, D/o Ramji Sah Resident of Village - Barahampur, P.s.- Chaklalmi, Distt.- Samastipur, At Present Resident of Village - Beso, P.o.- Narharpur, P.s.- Jandaha, Distt.- Vaishali.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raju Kumar , Advocate  
For the Opposite Party/s : Mr. Meena Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

6      10-09-2024                      Heard learned counsel for the petitioner and learned A.P.P. for the State. Despite valid service of notice, nobody appears on behalf of opposite party no. 2.

2. The petitioner, husband of the complainant, apprehends his arrest in a complaint case punishable for the offence under Sections 498(A) and 34 of the Indian Penal Code and Section 4 of the D. P Act.

3 . As per complaint petition , complainant was married with this petitioner in the year 2013 and after the marriage, when complainant went to her matrimonial house, she was subjected to torture and cruelty by this petitioner and other in-laws family members due to non-fulfillment of demand of



dowry and lastly, she was ousted from her matrimonial house .

4. Learned counsel for the petitioner, while denying the allegations made in the Complaint, submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the victim. However, he is ready to keep the victim (complainant) with full honour and dignity. Moreover, the case is triable by the learned 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* . Petitioner claims clean antecedent.

5 . Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of 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 learned SDJM Vaishali at Hajipur in connection with Complaint Case No. CI- 1595 of 2019, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure .

**(Prabhat Kumar Singh, J)**

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