

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61427 of 2024

Arising Out of PS. Case No.-1265 Year-2019 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

Subhash Ram S/O Kishor Ram @ Nand Kishor Ram R/O Village- Awadhiya
Soghari, P.S- Siwaipati, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi D/O Ram Swarth Ram R/O Village- Vasudev Chhapra, P.S-
Minapur, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 20-09-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Complaint Case no. 1265 of 2019, registered under
sections 498A, 323, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the complainant states
that she was married to the petitioner on 8.5.2009 wherein
various articles by way of gift including cash, cycle and utensils
were given. It is further stated that a daughter was born out of
the said wedlock, however, the accused persons started to
assault and torture the complainant which led to filing of a



complaint case in the year 2012. The accused started making demand of a motorcycle, a cow and Rs. 3 lacs in cash. Finally the petitioner entered into a second marriage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on account of being the husband of the complainant. The allegation of assault and torture are all false and concocted. The petitioner categorically denies having entered into a second marriage and submits that he has always been ready to keep his wife ie the complainant with full honour and dignity but it is she who is filing one complaint after the other. Learned counsel for the petitioner submits that a typographical error has occurred in paragraph no.3 of the petition for the reason that in the earlier case filed, as per instruction received, no cognizance was taken.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the complaint, it is directed that the petitioner, who is the husband of the complainant, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case



no. 1265 of 2019 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Judicial Magistrate, 1st
Class, Muzaffarpur East, District- Muzaffarpur.

(Partha Sarthy, J)

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