

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68196 of 2023

Arising Out of PS. Case No.-1356 Year-2013 Thana- BUXAR COMPLAINT CASE District-
Buxar

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TARACHAND RAJBHAR S/O RAMNATH RAJBHAR R/O VILLAGE-
KUSHI, P.S- DILDARNAGAR, DISTT.- GAJIPUR(U.P).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MANJU DEVI D/O LATE RAMAYAN RAJBHAR AND W/O
TARACHAND RAJBHAR R/O VILLAGE- DEHRI, P.S- RAJPUR,
DISTT.- BUXAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sanjay Kumar
For the State	:	Mr. Umeshanand Pandit
For the O.P.2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 08-07-2024 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 opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Section 498(A) of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

3. As per complaint, the complainant was married with
this petitioner in the year 2007 and after the marriage, when
she went to her matrimonial house, she was subjected to torture
and harassment by this petitioner and other in-laws family



members due to non-fulfillment of demand of one motorcycle and one gold chain in the form of dowry. It is further alleged by complainant that her husband has illicit relation with his Bhabhi namely Shantra Devi and as such, on 27.11.2013, the complainant was ousted from her matrimonial house.

4. Learned counsel for the petitioner, while denying the allegations made in the complaint petition, submits that petitioner has been falsely implicated in this case merely because he is husband of the opposite party no. 2. As a matter of fact, the complainant herself left her matrimonial house due to some family feud. However, petitioner is still ready to keep the opposite party no. 2 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 has got 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 Chief Judicial Magistrate, Buxar in connection with
Complaint Case No. 1356-C of 2013, Trial No. 522 of 2022,
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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