

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71902 of 2023

Arising Out of PS. Case No.-1131 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Sachida Nand Singh Son Of Sakaldeo Singh Resident Of Village- Jatakauli,
P.O.- Dharmpur, P.S.- Vaishali, District- Vaishali

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Jainath Singh Son Of Late Ram Pravwesh Singh Resident Of Village-
Mahamadpur Balami, P.S. Motipur, District- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1131 of 2022, instituted for the offence
punishable under Sections 498(A) and 354 of the Indian Penal
Code.

3. The prosecution case, in short, is that complainant
alleged that her daughter's marriage was solemnized with the
petitioner on 11.07.2008 according to Hindu rites and rituals but
the petitioner was incapacitated in performing his conjugal life.
It is further alleged that accused persons including the petitioner
assaulted and tortured the daughter of complainant in different



ways.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the instant case has been filed by the father of the wife of the petitioner on 04.08.2022 and on the same day, a Matrimonial Case No. 387 of 2022 has been filed by the wife of the petitioner namely, Munita Devi under Section 12(1) of Hindu Marriage Act for dissolution of marriage and prayed for declaring her marriage as void. Learned counsel further submitted that complaint case has been filed after 14 years of marriage and there was no such complaint ever against the petitioner. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 1131 of 2022, he shall be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II,



Muzaffarpur, subject to condition as laid down under Section
438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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