

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72431 of 2023

Arising Out of PS. Case No.-977 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Rajesh Kumar Son of Late Ganesh Mahto R/o vill - Santpur Parsauni, P.S. -
Mainatand, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari Kushwaha W/o Rajesh Kumar, D/o Indu Bhushan Kushawaha
R/o vill - Santpur Parsauni, P.S. - Maintard, Distt. - West Champaran,
Presently residing at Vill - Bhedihari, P.S. - Pokhariya, Distt. - Parsa (Nepal)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 28-08-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection

with Bettiah Complaint Case No. 977C of 2022 registered

under Sections 498A, 494, 406 and 323 of the Indian Penal

Code.

3. The prosecution case, in brief, is that the

complainant got married with this petitioner on 23.06.2023.

It is alleged that after marriage, all the accused persons,

including this petitioner, started torture and demanded

rupees one lakh, and when complainant showed inability to



fulfill their demand, she was ousted from her matrimonial house. It is further alleged by the complainant that this petitioner has also solemnized second marriage.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is husband of the complainant and has never assaulted the complainant nor demanded any dowry. He is ready to keep his wife with full honour and dignity. As a matter of fact, there are total seven cases pending between the parties for the same cause of action. This petitioner has filed a divorce case bearing Divorce Petition No. 138 of 2017 before the learned Principal Judge, Family Court, West Champaran at Bettiah, and thereafter, the opposite party No. 2 has filed several complaint cases against the petitioner.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Bettiah, West Champaran in connection with Bettiah Complaint Case No. 977C of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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