

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78511 of 2023

Arising Out of PS. Case No.-615 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Doman Chauhan @ Ramanuj Chauhan S/O Ravindra Chauhan R/O Village-
Bishunpur, P.S.- Manpur, Distt.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Putush Devi W/O Doman Chauhan, D/O Mahendra Chauhan R/O Village-
Bishunpur, P.S- Manpur, Distt.- Nalanda, At Present Resident Of Village-
Kebal Bigha, P.S- Anpur, Distt.- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Adv.
For the State	:	Mr. Rana Randhir Singh, APP
For the O.P. No. 2	:	NONE

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-07-2024 Despite valid service of notice, no one appears on
behalf of the Opposite Party No. 2.

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. The petitioner apprehends his arrest in connection with
Complaint Case No. 615C of 2022 registered under Sections
498A, 323 and 504 of the Indian Penal Code.

4. As per prosecution case, all the accused persons
including this petitioner tortured and harassed the
complainant/opposite party no. 2 for non-fulfillment of demand



of dowry. It is further alleged that on 01.01.2022, the complainant was ousted from her matrimonial house.

5. Learned counsel appearing on behalf of the petitioner submits that petitioner happens to be husband of the complainant and present case has been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. It is further submitted that petitioner has also filed a Matrimonial Case No. 39 of 2022 for restoration of his conjugal life under Section 9 of the Hindu Marriage Act but in spite of notice, complainant did not appear. The petitioner is ready to keep the complainant/opposite party no. 2, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a 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**.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. 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, Nalanda at Bihar Sharif in connection with Complaint Case No. 615C 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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