

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84184 of 2023

Arising Out of PS. Case No.-797 Year-2018 Thana- COMPLAINT CASE District- Supaul

Ajay Yadav @ Ajay Kumar Son of Sri Ganesh Yadav Resident of Village -
Koni, P.S.- Marauna, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinky Devi Wife of Sri Ajay Yadav Resident of Village - Koni, P.S.- Marauna, District- Supaul. At Present daughter of Shyam Yadav, Resident of Village - Rupauli, P.S.- Madhepur, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Manish Kumar no.13, Advocate
For the State	:	Mr.Raj Ballabh Singh, APP
For the O.P.2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 19-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of complainant/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.

3. As per complaint, the complainant was married with
this petitioner in the year 2015 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 dowry and lastly,
she was ousted from her matrimonial house.



4. Learned counsel for the petitioner, while denying the allegations made in the F.I.R., submits that petitioner has been falsely implicated in this case merely because he is husband of the opposite party no. 2. However, he is ready to keep the opposite party no. 2 in matrimonial house with full honour and dignity. Moreover, the case is triable by the 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 A.C.J.M. - VI, Supaul in connection with Complaint Case No. 797-C of 2018, 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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