

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.290 of 2024

Arising Out of PS. Case No.-378 Year-2022 Thana- SERGHATI COMPLAINT CASE
District- Gaya

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Rambachan Sharma @ Rambachan Kumar, aged about 28 years, Male, son of
Dwarik Sharma @ Dwarika Sharma @ Dwarika Mistri, resident of village-
Lai, P.S.- Mohanpur, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari @ Khusbu, wife of Rambachan Sharma @ Rambachan
Kumar, resident of village- Lai, P.S.- Mohanpur, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No.378 of 2022 dated 13.06.2022, instituted
under Sections 498-A of the Indian Penal Code.

3. The allegation against the petitioner and others is of
torturing the complainant on account of non-fulfillment of
demand of dowry.

4. Learned counsel for the petitioner submits that the
petitioner is the husband of the opposite party no.2 and he is
ready to keep with full dignity and honour. It is further
submitted that vide order dated 29.01.2024, notice was issued to



the opposite party no. 2, but she has not appeared even after receiving the notice personally. Learned counsel further submitted that the petitioner neither demanded any dowry nor any motorcycle from the complainant. He did not even tortured the complainant in any manner. Further submission is that the petitioner is suffering from some neurological problem. He used to provide her regular treatment and was always ready to bear the cost of her treatment, but all gone in vein. On 28.06.2021, she was found missing from the house and ultimately, she was found at Sherghati Hospital from where her brother took her to maternal home. The petitioner also filed two application in Mohanpur Police Station in this regard. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Perusal of the record shows that notice was issued to the opposite party no. 2, but she has chosen not to appear even after personal service of notice.

6. Learned APP has opposed the prayer for bail.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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
Judicial Magistrate, 1st Class, Sherghatti, Gaya, in Complaint
Case No.378 of 2022, subject to the conditions laid down in
Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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