

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20207 of 2023

Arising Out of PS. Case No.-519 Year-2014 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Arunjay Das @ Arunjay Kumar Das @ Karu Das Son Of Bhagwan Das
Resident Of Village - Chhatarpur Bara, P.S. - Chhatarpur, Dist.- Palamu
... .. Petitioner

Versus

1. The State Of Bihar
 2. Anita Devi D/O Manikchand Das Resident Of Village - Saidabad, P.S. - Pali,
Distt. - Jehanabad
- Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Ms/Mrs. Meena Singh, A.P.P.
Mr. DK Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-01-2025 Heard learned counsel for the petitioner, the State and
opposite party no.2.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under section 498A of the Indian
Penal Code.

3. As per the prosecution case, petitioner was married
to opposite party no.2 on 18.5.2005. Thereafter, petitioner
started torture on opposite party no.2 for non-fulfilment of
demand of dowry.

4. Learned counsel appearing for the petitioner
submits that earlier petitioner was granted provisional bail by a
bench of this Court vide order dated 27.4.2016, passed in
Cr.Mis.No. 18268 of 2016 which was to be confirmed by the
Court below on resolving the matrimonial discord. Later on,
petitioner was granted divorce decree vide judgment dated
28.2.2017. opposite party no.2 filed Cr.Misc Case no.9/2018
before the Principal Judge, Family Court, Palamu for revocation



of judgment which was dismissed on merit vide order dated 3.12.2019. Thereafter, provisional bail earlier granted to the petitioner was cancelled on 16.9.2021 by the court below. Petitioner wants to resolve the matrimonial dispute but opposite party no.2 is not ready to live with the petitioner. 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**.

5. Learned counsel for the State and opposite party no.2 oppose the prayer for bail. Counsel for the opposite party no.2 submits that opposite party no.2 has three children.

6. Considering the aforesaid facts and circumstances of the case as also the fact that the petitioner was earlier granted provisional bail by a bench of this Court vide order dated 27.4.2016, passed in Cr.Mis.No. 18268 of 2016 which was to be confirmed by the Court below on resolving the matrimonial discord, in the event of arrest or surrender within eight 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 Judicial Magistrate 1st class, Jehanabad or successor court in Complaint Case No. 519/2014, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

Shashi

(Prabhat Kumar Singh, J)

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