

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36742 of 2025

Arising Out of PS. Case No.-1726 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Ajit Kumar Singh @ Ajeet Kumar Singh S/O Dhirendra Singh @ Dhirendra Kumar Singh R/O Village-Subhash Nagar,Road No-6,Bibiganj, Bhagwanpur, P.S-Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anupriya W/O Ajit Kumar Singh, D/O Rajendra Kumar Singh R/O Naya Tola, P.S- Kaji Mohhamadpur, Distt.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.
For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 20-08-2025 Heard learned Advocate for the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 1726 of 2022, dated 09.05.2022, registered under Section 498A of the Indian Penal Code.

3. The prosecution case, in brief, is that the marriage between petitioner and complainant was solemnized on 28/04/2021 according to the Hindu rights and rituals at Muzaffarpur, in which many gifts were given in form of gold, silver and utensils worth rupees 15 lacks and started living happily, but after few days of marriage informant's husband and his family members behaviour turned non-conducive and she



was repeatedly tortured. On one occasion she was forced to sign on paper with a demand of Rs. 20 lakhs, if she desired to be set free. Pursuant to all this her mother on 30.03.2022 submitted an application before the Sadar P.S Bhagwanpur, requesting to take her daughter out of the custody of the petitioner and her in laws. Report was also published in Hindi newspaper showing the plight of the complainant. On the basis of complaint of the complainant namely Anupriya, Complaint Case No. 1726/2022 was filed, in which cognizance has been taken against the petitioner by order dated 2.05.2024, for the offence under Sections 498A of Indian Penal Code against the petitioner.

4. It is submitted by the learned counsel for the petitioner that the petitioner has no criminal antecedent and there is no child born out of their wedlock. The case is under investigation before the learned Sub Divisional Judicial Magistrate, East Muzaffarpur.

5. It has next been submitted that whatever allegation is made against the petitioner, the nature of the complaint is being general, vague and omnibus.

6. It is the case of the petitioner that the complainant left the matrimonial home out of her own will within 4-5 months of her marriage and there is no question of harassment being caused to the complainant. The allegation of dowry is completely false



and concocted.

7. It is the case of the petitioner that the petitioner has filed Matrimonial Case No. 273 of 2022, before the Family Court, Muzaffarpur, under Section-9 of the Hindu Marriage Act for restitution of conjugal right by making a statement that the petitioner is ready to keep his wife with full dignity and honour. Notice has been issued and it is duly served to the complainant, but till date the complainant has not appeared. Though, notice has duly been served to opposite party no. 2, but there is no representation from her side.

8. It has further been submitted that petitioner is very much interested in pursuing their matrimonial relationship with the complainant, but till date the marriage has not been consummated as the informant never allows him to make physical relationship with the petitioner.

9. It has next been submitted by the learned counsel for the petitioner that there was no demand of dowry either by the petitioner or by the family members of the petitioner, but the allegations, which has been levelled in the complaint case is totally false and concocted.

10. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

11. Considering the fact that the petitioner is interested



in keeping the complainant in his matrimonial house with full dignity and honour. It would be apparent that the petitioner has made an attempt by filing Matrimonial Case No. 272 of 2022 before the Family Court, Muzaffarpur, under Section 9 of the Hindu Marriage Act for restitution of conjugal right is sufficient to demonstrate the conduct of the petitioner. Interim protection has been extended in favour of the petitioner on earlier occasion which is continuing till date, and as such in the light of the above, the above named petitioner is directed to be released on bail, in the event of his arrest or surrender before the learned Sub Divisional Judicial Magistrate, Muzaffarpur, in connection with Complaint Case No. 1726 of 2022 within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Ajit Kumar, J)

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