

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44266 of 2025

Arising Out of PS. Case No.-253 Year-2020 Thana- COMPLAINT CASE District- Jamui

Dinesh Das @ Dinesh Kumar Das @ Dinesh Kumar, S/o Budhu Das R/o vill
- Nima Rang, P.s.- Jamui, Distt.- Jamui

... .. Petitioner

Versus

1. The State of Bihar .
2. Rubi Devi, W/o Uttam Kumar Das R/o vill - Neema Rang, P.S.- Jamui,
Distt- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Jagdhari Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-11-2025 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 253C of 2020, registered for the offences punishable under Sections 498A, 354(B), 313, 307, 504 and 506/34 of the I.P.C.

3. The complainant alleged that her marriage was solemnized with one Uttam Kumar ten years ago. The couple also blessed with a female child, who is differently abled and thereafter, she gave birth to another female child. It is specifically alleged that the petitioner assaulted the O.P. No.2 due to which miscarriage took place besides the omnibus allegation against the accused persons of torture and ousting her



from matrimonial home.

4. Learned Advocate for the petitioner submitted that the petitioner is none else but the elder brother-in-law of the husband of the complainant; Petitioner, the husband has not even been made accused in the case. It is further contended that since there was a family dispute between both the brothers and taking shelter of such dispute, the present complaint case has been instituted by the complainant only to put pressure upon the petitioner. The mother-in-law of the complainant also lodged Informatory petition against the complainant and her husband, who were indulged in making threatening and misdeeds against other family members. It is further submitted that besides the aforesaid facts there is neither any Medical Report on record to suggest that any such incidence of miscarriage took place nor even the date has been mentioned as to on which date the incident took place.

5. On the other hand, learned Advocate for the State, vehemently, opposed the bail application and submits that there is a specific allegation leveled against the petitioner.

6. Before parting with the case, it is pertinent to observe that notice was issued to the O.P. No.2. However, despite valid service of notice, she chose not to appear.



7. Having considered the submissions set forth by the learned Advocate for the respective parties and the material available on record especially the fact there is no medical report suggesting any injury sustained to the complainant coupled with the relationship of the petitioner with the O.P.No.2 and also the fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-II, Jamui in connection with Complaint Case No. 253C of 2020, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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