

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57076 of 2024**

Arising Out of PS. Case No.-1323 Year-2022 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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Diwash Kumar Das Son of Ghatu Das R/O Vill.- Hat Khola, Bariya Dangi,  
P.S.- Barsoi, Dist.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jayanti Devi Wife of Diwash Kumar Das Daughter of Surup Lal Das R/O Vill.- Manikpur, P.o.- Fatehpur, P.S.- Balrampur, Dist.- Katihar.

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                     |
|--------------------------|---|-------------------------------------|
| For the Petitioner/s     | : | None.                               |
| For the Opposite Party/s | : | Mr.Shailendra Kumar, APP.           |
| For the Complainant      | : | Mr. Abhishek Teerthankar, Advocate. |

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      18-01-2025                      No one appears on behalf of the petitioner.

2. Mr. Shailendra Kumar, learned APP for the State and Mr. Abhishek Teerthankar, learned counsel for the complainant are present before the Court.

3. The petitioner seeks pre-arrest bail in connection with C.A. Case No. 1323 of 2022 registered for the offence punishable under Sections 498A, 494 and 323 of the Indian Penal Code.

4. After obtaining interim relief in his favour vide order dated 04.09.2024, the petitioner has chosen not to appear before this Court.

5. Mr. Abhishek Teerthankar, learned counsel has



tendered his appearance on behalf of the opposite party no.2 and submitted that the petitioner is living along with another woman which is cruelty against the opposite party no.2. Out of the matrimonial relationship, one daughter was born who is two years old and is living with the opposite party no.2.

6. Considering the nature of allegation, as well as, the manner in which the petitioner has deserted the opposite party no.2 and two years old daughter and at the same time he has avoided the court proceeding, the petitioner don't deserve to be released on bail.

7. The bail application stands dismissed.

**(Purnendu Singh, J)**

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