

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61515 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Niraj Kumar Son of Late Umesh Sharma R/V- Village- Indrpur/Indarpur, P.S.-
Makhdumpur, Distt.- Jehanabad, Bihar

... .. Petitioner

Versus

1. The State of Bihar
2. Pinki Kumari Wife of Niraj Kumar R/V- Village- Indrpur/Indarpur, P.S.-
Makhdumpur, Distt.- jehanabad and at present residing with D/O- Ashok
Sharma, village- Paroriya, PO- Sohaypur, P.S.- Mufassil, Distt.- Gaya, Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar, Advocate
For the Opposite Party/s : Mr.Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 30-04-2025 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323, 498A and 34 of the
Indian Penal Code.

3. As per the prosecution case, petitioner was married to
opposite party no.2 in 2008. On 23.2.2024 at about 11 am
while she was in her house, all the FIR named accused persons
entered her house and started assaulting her and her family
members. Petitioner fired upon the informant by means of
revolver.

4. Learned counsel appearing for the petitioner while
denying the allegations, submits that the petitioner has falsely
been implicated in this case because he is husband of the
victim. As a matter of fact, opposite party no.2 was adamant
not to live and maintain conjugal life with the petitioner and in



2013 she finally deserted the petitioner and went to her parents house with all her belongings. Petitioner has filed Matrimonial (Divorce) Case No. 15 of 2023, thereafter opposite party no.2 has filed the present case. Petitioner has got clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, 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 Additional Chief Judicial Magistrate I, Jehanabad in Makhdumpur Police Station Case No. 84 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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