

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62830 of 2024**

Arising Out of PS. Case No.-23 Year-2021 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Bundel Kumar S/o- Sidh Nath Ram @ Sunil Ram Village- Phaphdar W.No-9,
Ps- Murar Dist- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushma Kumari Wife of Bundel Kumar, D/o- Deepak Kumar Ram Village-
Phaphdar W.No-9, Ps- Murar Dist- Buxar, P/a- Niranjanpur Ps- Koransarai
Dist- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the State	:	Md. Shakir Ahmad, APP
For the O.P. No. 2	:	Mr. Avinash, Advocate

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

7 15-05-2025 Heard learned counsel for the petitioner, learned counsel
for opposite party no. 2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498A and 34 of the
Indian Penal Code.

3. By an earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties but the same has
failed.

4. Petitioner, who is husband of opposite party no2., is
said to have ousted the opposite party no.2 from her matrimonial
home in association of his family members over the dowry



demand and torture.

5. Learned counsel for the petitioner submits that the allegations made in the complaint are not correct and as a matter of fact the opposite party no. 2 has willfully deserted the petitioner for which he initially filed a Matrimonial Case No. 213 of 2020 under Section 9 of Hindu Marriage Act before the Principal Judge, Family Court, Buxar. However, subsequently when the complainant expressed her unwillingness to stay with the petitioner, another Matrimonial case for divorce under Section 13(B) of Hindu Marriage Act for a mutual consent divorce was filed vide Divorce Case No. 333 of 2023 on 24.11.2023 before the Principal Judge, Family Court at Buxar which is still pending. Learned counsel for the petitioner has also filed a supplementary affidavit to bring on record the invitation card to show that the opposite party no. 2 has now remarried and her case for maintenance has also been dismissed for non prosecution as she is not interested in pursuing the same. The petitioner has no criminal antecedent.

6. The application for bail is opposed by learned APP for the State and learned counsel for the O.P. No. 2 on the ground the allegations against the petitioner are serious in nature and also denies all the contentions.



7. In such view of the matter, let the above named petitioner, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in connection with Complaint P.S. Case No. 23 (C) of 2021,subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023.

(Soni Shrivastava, J)

Raj Ranjan/-

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