

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66047 of 2024**

Arising Out of PS. Case No.-10805 Year-2022 Thana- PATNA COMPLAINT CASE District-  
Patna

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Ajay Kumar Son of Jagdeo Tiwari Resident of Village -Sanikurwa, PS-  
Rachopali, Dist.- Siwan, at present resident of old Barganda, Powerhouse  
more, Metros Gali, P.S.- Giridih, Distt.- Giridih, Jharkhand

... .. Petitioner

Versus

1. The State of Bihar
2. Poonam Kumari Wife of Ajay Kumar, Daughter of Anil Kumar Upadhyay  
At present resident of Mohalla- SriRam Chandra Commercial and residential  
complex, flat no. -103, Bata, digha Road, P.S.- Digha, Distt.- Patna

... .. Opposite Parties

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**Appearance :**

For the Petitioner : Mr.Lakshman Jha, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, A.P.P.

Mr. Sanjeev Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      22-04-2025                      Heard learned counsel for the petitioner, the State and  
opposite party no.2.

2. Petitioner apprehends arrest in a case registered for  
the offence punishable under sections 323, 498A and 504 of the  
Indian Penal Code.

3. As per the prosecution case, petitioner was married  
to opposite party no.2 in 2004. After sometime, petitioner used  
to harass and assault opposite party no.2 and pressurized her to  
leave the job of Block Teacher.

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. Petitioner never demanded dowry or harassed opposite  
party no.2. As a matter of fact, opposite party no.2 has  
developed extra marital relation with a colleague teacher and  
she does not want to live with the petitioner. Petitioner is ready



to keep opposite party no.2 with dignity and safety.

5. Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner is husband of opposite party no.2. He is named in the FIR with specific allegation that he used to harass and assault opposite party no.2 in drunken state. Opposite party no.2 has two children. Matter had been referred to the Mediation Center, but dispute between the parties could not be settled through process of mediation.

6. Considering the nature of accusation, prayer for bail of the petitioner is rejected.

**(Prabhat Kumar Singh, J)**

Shashi

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