

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74875 of 2024

Arising Out of PS. Case No.-3311 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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NEERAJ KUMAR S/o- Satyendar Rai Moh- Dahiyawa Dargha Ps- Town
Thana Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reema Kumari W/o- Neeraj Kumar D/o- Late Kamal Prasad Yadav Village-
Aami Ps- Dighwara Dist- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Srivastava, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-04-2025 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323 and 498(A) of the I.P.C.

3. The present case is one under Sections 323 and 498(A) of the I.P.C. and the petitioner happens to be the husband of the complainant.

4. Learned counsel for the petitioner submits that the case arises out of a complaint filed by the wife of the petitioner under Section 498(A) and 323 of the I.P.C under which the cognizance was also taken. The allegation is that of demand of a Bullet motorcycle, a gold chain and two lakhs cash and upon non-fulfillment of the same, the complainant was subjected to torture. He further submits that all the allegations levelled against the

petitioner in the complaint are false and as a matter of fact, the petitioner had never ousted the complainant. He is rather ready to keep the complainant with dignity as would appear from paragraph no. 21 of this petition.

5. Earlier notices were also issued to the O.P. No. 2 and the petitioner was released on provisional bail vide order dated 12.11.2024 passed in the present case. Despite valid service of notice and also the jointness affidavit, which was filed by the petitioner the complainant has chosen not to appear in the present case.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the above facts and circumstances, the provisional bail granted to the petitioner vide order dated 12.11.2024 in connection with Complaint Case No. 3311 of 2023 stands confirmed 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 with further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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