

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82167 of 2024

Arising Out of PS. Case No.-1155 Year-2023 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Amboj Kumar Singh @ Ambuj Singh @ Guddu Kumar Singh S/O Late Satan
Singh @ Satya Kumar Singh R/o vill - Badua, P.O. and P.S. - Raghunathpur,
Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Singh W/o Amboj Kumar Singh @ Ambuj Singh @ Guddu Kumar
Singh R/o vill - Badua, P.S. - Raghunathpur, Distt.- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Akshay Lal Pandit, Adv. Mr. Arvind Kumar, Adv. Mr. Rajesh Kumar, Adv.
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P.-2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2025 Heard Mr. Akshay Lal Pandit, learned counsel for

the petitioner and Mr. Umeshanand Pandit, learned A.P.P. for the

State. Despite valid service of notice, nobody appears on behalf

of opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Sections 323/498-A of the Indian Penal Code.

3. Allegation against petitioner is of matrimonial
cruelty and demand for dowry.

4. While denying the allegations made in the present
petition, learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case merely because he happens to be husband of opposite party no. 2. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2. He further submits that as a matter of fact, earlier the complainant was married with one Shailendra Singh in the year 2012 and had filed a divorce case i.e. D.V.No. 306/2016 before the Judicial Magistrate, Court No. 24, Azamgarh (Annexure -3 to the bail petition), which is still pending, and without taking decree of divorce, she got married with this petitioner. Learned counsel further submits that petitioner, considering the conduct of complainant, has also filed Divorce Case No. 31/2022 before the Principal Judge Family Court, Siwan (Annexure – 2 to the bail petition) and only after coming to know about filing of aforesaid divorce case, the complainant has filed present false and fabricated case in the year 2023.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of 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 learned J.M. 1st Class, Siwan in connection with Complaint Case



No. 1155 of 2023, subject to the conditions, as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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