

Arising Out of PS. Case No.-444 Year-2023 Thana- COMPLAINT CASE - MASAUH
District- Patna

... .. Petitioner

Versus

- Opposite Parties

For the Petitioner	:	Mr. Satyendra Kumar, Advocate Mr. Sanjay Kumar Pandey, Advocate
For the State	:	Mr. Manoj Kumar, APP

2 08-01-2025 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Complaint Case No. 444(c) of 2023 dated 23.11.2023, registered for the offences punishable under Section 498A of the Indian Penal Code.

3. As per allegation, marriage between the informant/wife and the petitioner/husband was solemnized in the year 2019 and everything was going well for the first six months of the marriage and then she was subjected to cruelty on account of non-fulfillment of additional demand of dowry. It is



further alleged that the husband has illicit relationship with another girl. However, she has stated to the Court under Section 200 Cr.PC that she wants to live with her husband and she is pregnant for two months.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the present false case has been filed on account of matrimonial discord.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has been made accused in one other case.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. It transpires that there is matrimonial discord and the better course for the parties is to move Family Court to resolve their dispute.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Sub-divisional Judicial Magistrate, Masaurhi, Patna, in connection with Complaint Case No. 444(c) of 2023, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Chandan/-

U		T	
---	--	---	--

