IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10742 of 2024

Arising Out of PS. Case No.-470 Year-2022 Thana- COMPLAINT CASE District- Supaul

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Rohit Kumar @ Rohit Sharma S/O Moti Sharma @ Moti Tanti R/O Vill Mohanian, W.No. 16, Ps - Supaul (Laukaha O.P.), Dist - Supaul

... ... Petitioner/s

Versus

1. The State of Bihar
2. Sanjan Kumari @ Sanjan Devi W/O Rohit Kumar @ Rohit Sharma, D/O Bechan Sharma R/O Vill Mohanian, W.No. 16, Ps - Supaul (Laukaha O.P.), Dist - Supaul At Present Residing At Vill - Sripur Sukhasan, W.No. 06 Ps - Kishanpur, Dist. - Supaul

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

6 10-07-2025 The jointness petition i.e. I.A. No. 1 of 2025 has been filed on behalf of petitioner showing jointness of opposite party no. 2 with her mother, who has received notice on behalf of opposite party no. 2. It is stated that opposite party no. 2 is living with her mother.

2. In view of aforesaid fact, the jointness petition i.e. I.A. No. 1 of 2025 is allowed and notice, issued to opposite party no. 2, is deemed to be validly served.

3. Heard learned counsel for the parties.

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

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

6. While denying the allegations made in the complaint 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. The opposite party no. 2 has left her matrimonial house at her own accord. However, petitioner is still ready to keep the opposite party no. 2 with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar,*** reported in ***2006(3) PLJR 182***.

7. 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 S.D.J.M., Supaul in connection with Complaint Case No. 470-C of 2022, subject to the conditions, as laid down under

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Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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