

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89730 of 2024

Arising Out of PS. Case No.-335 Year-2021 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Dharmvir Kumar @ Dharamvir Chauhan, S/o- Karu Chauhan R/o - Dwarika
Bigha, P.S - Tharthari, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gita Devi W/o- Dharmvir Chauhan R/o - Dwarika Bigha, P.S - Tharthari,
District - Nalanda, P/A- Noniya Bigha P.S- Hilsa Dist- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-01-2025 1. Heard Mr. Pankaj Kumar, learned counsel for

the petitioner and Mr. Mohammad Sufyan, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 335 (C) of 2021 registered for the
offence punishable under Section 498A read with Section 34 of
the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter is based on a
complaint and earlier the same complainant, who happens to be
the wife of this petitioner, filed a case bearing Hilsa P.S. Case
No. 668 of 2021 for the offences under Sections 498, 341, 323,



506/34 of the IPC and under Section 3/4 of D.P. Act with the same allegations made in the complaint case of the instant matter and the only difference is the year of the marriage and in this regard the second paragraph of the order impugned may be perused. It is further submitted that the marriage between the petitioner and the complainant took place in the year 2018 and on account of the behaviour of the complainant, the petitioner was compelled to file a divorce case under Section 13(1) of Hindu Marriage Act on 18.02.2021 bearing Divorce Case No. 77 of 2021 and the same is pending in between both the parties and the petitioner has got bail from the trial court itself in Hilsa P.S. Case No. 668 of 2021 and as per the statement of the complainant made by her on S.A., she lived only for six months after the marriage in the company of the petitioner.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions made by petitioner's counsel, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Complaint Case



No. 335 (C) of 2021 on furnishing bail bond of Rs. 20,000/-
(Rupees Twenty Thousand) with two sureties of the like amount
each to the satisfaction of the Court concerned, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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