

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67109 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- MAHILA P.S. District- Bhagalpur

Sumit Jha S/o Binod Jha Resident of Village Salampur, P.S. Falka, District-
Katihar. At present residing at R/o Maha Lakshmi Residency, Wing - B,
Building No. 2, Flat No. 301, Chandansar, P.S. - Birar East, District -
Palghar, Maharashtra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swati Jha W/o Sumit Jha , D/o Varun Kumar Jha Quarter No. -198, P.T.S.,
N.T.P. C. Colony, Kahalgaon, P.S. NTPC, Kahalgaon, District - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 08-01-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and
apprehending his arrest in connection with Bhagalpur Mahila
P.S. Case No. 24 of 2021 registered for the offences
punishable under Sections 323, 341, 498A, 504, 34 of the
Indian Penal Code and Section 3/4 of D.P. Act.

3. The allegation against petitioner is to commit
cruelty upon informant for non-fulfillment of demand of
money.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that the petitioner who is the husband



of the informant is presently posted in ISRO, Department of Space under Prime Minister Office, as Senior Assistant, B-Grade Officer in Mumbai. It is pointed out that the parents of petitioner who are old and ill started to live with his son, which was not accepted by informant, therefore, upon instigation of her parents, the present false case was lodged. It is pointed out that recently a heart surgery was also conducted on this petitioner. It is pointed out that the allegation as raised through FIR, is completely ornamental and also appears raised in very general and omnibus manner. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that this matter is pending since 2021, and in last 4-5 years the matter was referred two time for mediations, but same could not concluded logically. It is conceded that the petitioner is paying Rs. 13,000/- per month regularly as ad-interim maintenance in terms of the order of family court, Bhagalpur, including Rs. 2,000/- as legal expenditure to complainant.



6. In view of aforesaid factual submissions and by taking note of fact as allegation *qua* cruelty appears raised in very general and omnibus manner against petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM II, Bhagalpur /concerned Court, where the case is pending in connection with Bhagalpur Mahila P.S. Case No. 24 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

