

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13566 of 2020

Arising Out of PS. Case No.-600 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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RITESH KAMAL S/o Mahendra Prasad Resident of Kamal Sadan Vijay
Nagar Road No. 03, Kankarbagh, P.S.- Kankarbagh, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sulekha Kumari W/o Ritesh Kamal, D/o Vijay Prasad R/o village- Barnama,
P.O.- Gopalpur, P.S.- Warisaliganj, District- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 24-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case initially
registered under Sections 498A, 406, 323 of the Indian Penal
Code and ³/₄ of Dowry Prohibition Act but later on, cognizance
has been taken under Section 498A of the Indian Penal Code
and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture



upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is husband of the victim. The petitioner has 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.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 600 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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