

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72328 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- MAHILA PS District- Darbhanga

PRATIK KUMAR SINGH, aged about 33 years (Male), Son of Sri Praveen Kumar Singh, Resident of Mohalla - Marwari School Road, P.S.- Town, District - Darbhanga

... .. Petitioner

Versus

1. The State of Bihar
2. Sonali, daughter of late Arun Kumar Singh, resident of Mohalla-Milki Tola, P.S.-Kazi Mohamadpur, District- Muzaffarpur.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nilesh Kumar, Advocate
For the Opposite Party : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 22-12-2021

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mahila P.S. Case No. 28 of 2019 for the offence punishable under Sections 323, 498-A, 504/34 of the Indian Penal Code and under Section 3/ 4 of the Dowry Prohibition Act.

Despite best efforts made by this Court the opposite party no.2 is not being traced on the address given by her in the complaint petition.

It was submitted by learned counsel for the petitioner that opposite party no.2 is not the wife of the petitioner but she has filed this false case against the petitioner just to harass him.

From the conduct of the opposite party no.2, the submission of learned counsel for the petitioner appears to be strengthened.



Considering the aforesaid, this application is allowed.

Let the petitioner, above named, in the event of his his arrest/surrender within four weeks from today in the Court below, be released 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 Sub Divisional Judicial Magistrate, Darbhanga, in connection with Mahila P.S. Case No. 28 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The Senior Superintendent of Police, Muzaffarpur, is directed to trace the opposite party no.2 and thereafter supervise the investigation of this case in view of the observations made hereinabove and if needed, the opposite party no.2 shall be prosecuted for filing the false case.

Let a copy of this order be communicated to the Senior Superintendent of Police, Muzaffarpur, through FAX or e-mail.

(Sandeep Kumar, J)

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