

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6272 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- GOPALPUR District- Bhagalpur

NITISH KUMAR S/o Dinesh Mandal Resident of Village- Masudanpur Baisi,
P.S.- Rangra O.P., District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Devi Daughter of - Uttamlal Mandal Resident of Village-
Masudanpur Baisi, P.S.- Rangra O.P., District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 498(A), 504, 506/34 of the Indian Penal Code read with
Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that on account of torture meted
by her husband and his relatives for non-fulfillment of dowry
demand the informant fled away to Uttar Pradesh and married



Monu Yadav.

Learned counsel submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that on 06.05.2021 she fled away and thereafter she married Monu Yadav but the present FIR came to be instituted in the month of July, 2021 i.e. merely two months of the informant fleeing away and marrying Monu Yadav. He further submits that as far as allegation as alleged in the FIR is concerned, the same appears to be palpably false for the reason that if the occurrence had taken place as alleged then definitely the informant would have instituted an FIR promptly but the present FIR came to be instituted only after she married Monu Yadav. It is next submitted that mother of the petitioner instituted Gopalpur (Rangra) P.S. Case No. 268 of 2021 against the present informant alleging that she has sold her daughter. Learned counsel, thus, submits that the informant with a view to falsely implicate the petitioner and his family members instituted the present case with false allegation.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gopalpur (Rangra) P.S. Case No. 295 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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