

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24315 of 2021

Arising Out of PS. Case No.-504 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Ashish Kumar S/o Sri Devender Prasad Resident of Belwarganj, Gulzarbagh,
Patnacity, P.S.- Khaje Kalan, District- Patna, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Amrita Singh W/o Ashish Kumar, D/o Sri Satya Narayan Singh
Residing at 204 Subham Samridhi Complex, Viswashriya Nagar, Bailey
Road, P.S.- Rupaspur, District- Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Prabhakar Nath Rai, Advocate
For the State	:	Mr. Surendra Pd. Singh, APP
For Opp. Party No. 2	:	Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 14-02-2022 The matter is being heard through video conferencing

due to circumstances prevailing on account of Covid-19

pandemic.

Heard learned counsel for the petitioner, learned APP
for the State as well as learned counsel for opposite party no.2.

The petitioner apprehends his arrest in connection
with Complaint Case No.504 of 2019 for offences under Section
498(A) of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

Both the parties have tried to settle the dispute but
mediation has failed and only on the direction of this Court,



both the parties have joined the proceeding virtually.

There are allegations and counter allegations of both the parties which cannot be decided by this Court on the anticipatory bail application.

Whatever dispute between the parties is with regard to recovery of dowry and jewelry can be thrashed by them even in matrimonial proceeding and this proceeding cannot be used for recovery of money and jewelry.

Considering the law laid down by the Apex Court in the case of *Arnesh Kumar V State Of Bihar* reported in (2014) 8 SCC 273 and considering the illness of the petitioner, this application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within ten weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Complaint Case No.504 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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