

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25925 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- MAHILA P.S. District- Madhubani

MANOJ KUMAR SON OF RAJ KUMAR RAY R/O VILLAGE-
BALABAKHAR, P.S.- PHULPARAS, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANJU KUMARI WIFE OF MANOJ KUMAR R/O VILLAGE-
BALABAKHAR, P.S.- PHULPARAS, DISTRICT- MADHUBANI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Bharti, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-01-2022 Heard learned counsel for the petitioner, Opposite
Party No.2 and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498(A)/34, 323 and 341 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the marriage of the petitioner with the



complainant was solemnized in the year 2020 and the allegation against the petitioner is false and concocted. It is further submitted that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 2 of the Supplementary Affidavit. It is further submitted that the informant is very clever lady and earlier she trapped one Dhiraj Kumar, Son of Lal Babu Gami of village- Radhi, P.S. - Jale, District- Darbhanga by lodging a concocted case bearing University P.S. Case No. 101 of 2018 under Section 376 of the Indian Penal Code and solemnized marriage and after some times, she left the house of Dhiraj Kumar and started living in her parental house.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhubani in connection with Mahila P.S. (Madhubani) Case No. 85 of



2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the informant wishes to reside with the petitioner, she will file a petition before learned Court below when it is expected from the learned Court below to issue notice to the petitioner for his appearance before learned court below. On appearance, the petitioner will be under an obligation comply the undertaking given before this Court and will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

brajesh kumar/-

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(Sunil Kumar Panwar, J)

