

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62627 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Ajeet Kumar Son of Sri Nawal Kishore Prasad Resident of Village
Champapur, Koirea Tola, P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Archana Wife of Ajeet Kumar Resident of Village - Champapur,
Koirea Tola, P.S.- Ghorasahan, District - East Champaran, Presently D/o
Madan Chandra Prasad, Presently residing at Ambika Nagar, Chati Mai
Nahar Road, Motihari, Address of Naihar is Latiyahi, P.S.- Adapur, District
East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Amrit Abhijat, Advocate
For the State : Mr.Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 06-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No.72 of 2021 registered for offences
under Sections 498A, 37, 34 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

Mediation has failed due to non-appearance of
opposite party no.2.

In view of the law laid down by the Apex Court in the
case of *Arnesh Kumar Vs State Of Bihar reported in (2014) 8*
SCC 273, this application for anticipatory bail is allowed.



Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four 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 Munsif-cum-Judicial Magistrate, 1st Class, Raxaul at Motihari, District East Champaran in connection with Complaint Case No. 72 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It has been submitted by the counsel for the petitioner that Divorce Case No. 48 of 2021 has been filed in the Court of Principal Judge, Family Court, East Champaran, Motihari.

The opposite party no.2 shall appear in the Divorce Case on 20th of May, 2022 and, thereafter, the Principal Judge, Family Court, East Champaran, Motihari will fix the date in the case and hear the case expeditiously and conclude the aforesaid Divorce Case within three months. The Divorce Case may proceed ex parte, if either of the parties do not co-operate.

With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

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