

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1329 of 2022

Arising Out of PS. Case No.-1 Year-2021 Thana- MAHILA PS District- Gopalganj

=====

AMIT KUMAR @ AMIT KUMAR SAH, Son of Tuntun Sah, Resident of
Village- Piprahiya, P.S.- Barauli, District- Gopalganj, Bihar.

... .. Petitioner

Versus

1. The State of Bihar.
2. AMTIRA KUMARI DEVI, Daughter of Jai Kishun Sah Resident of Village-
Piprahiya, P.S.- Barauli, District- Gopalganj, Bihar.

... .. Opposite Parties

=====

Appearance :

For the Petitioner	:	Mr. Indrajeet Bhushan, Advocate
For the Opposite Party	:	Mr. Zainul Abedin, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-03-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

This application for anticipatory bail arises out of
Gopalganj (Mahila) P.S. Case No. 01 of 2021 registered for the
offences under Sections 341, 323, 498-A, 379/34 of the Indian
Penal Code and under Section 3/4 of the Dowry Prohibition Act.

Though the petitioner denies the marriage with the
opposite party no.2 but as per the prosecution case, the
petitioner is the husband of opposite party no.2. Apart from the
allegation against the petitioner, the opposite party no.2 has filed



a maintenance case No. 18 of 2022 against the petitioner in the Court of Principal Judge, Family Court, Gopalganj.

Considered the submissions of the parties.

There are allegations and counter allegations made by both the parties against each other, which cannot be decided in the present anticipatory bail proceeding.

Considering the aforesaid facts and also 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 anticipatory bail application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within six 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 S.D.J.M., Gopalganj, in connection with Gopalganj (Mahila) P.S. No. 01 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This Court has already directed for early disposal of the maintenance case in Criminal Miscellaneous No. 31596 of 2021 and it has been informed by the parties at Bar that the



said maintenance case is proceeding expeditiously.

In such view of the matter, there is no need to pass
any order in this regard.

(Sandeep Kumar, J)

pawan/-

U		T	
---	--	---	--

