

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66619 of 2019

Arising Out of PS. Case No.-1010 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Santosh Kumar S/O Late Karu Mahto R/O.- Vill- Chiksoura Marachi, P.S.-
Chiksoura, District- Nalanda, Presently residing at Mohalla- Harishchand
Nagar, Gali No.-A-10, P.S.- Jakkanpur, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. Sonamani Kumari W/o - Santosh Kumar , D/o -Shri Arjun Mahto R/o-
Sarvahanpur Akharia, P.S.- Fatuha, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikunj Shekhar, Advocate.
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

12 20-04-2022 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.

The petitioner seeks anticipatory bail in connection
with complaint Case No. 1010 of 2018, registered for the
offence under Sections 498A of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

Opposite party no. 2 is not appearing in this Court as
well as she has also not appeared in mediation proceeding.

Learned counsel for the petitioner is present.

Considering the same, this application is being heard and



disposed of on its own merit without waiting for the appearance of opposite party no. 2.

The petitioner is the husband of the complainant. There are allegation and counter allegations by the parties against each other, which can not be decided by this Court in these proceedings.

Considering the aforesaid fact and also considering the law laid down by the Supreme Court in **Arunesh Kumar vs. State of Bihar** reported in **(2014) 8 SCC 273**, this application for anticipatory bail is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four 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 learned Sub Divisional Judicial Magistrate, Patna City, Patna in connection with Complaint Case No. 1010 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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