

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79620 of 2019

Arising Out of PS. Case No.-83 Year-2010 Thana- GOH District- Aurangabad

AMITABH DWIVEDI, aged about 28 years, Male, son of Sri Umaraman Dwivedi, Resident of Village - Ddhapi, P.O. and P.S.- Goh, District- Aurangabad.

... .. Petitioner

Versus

1. The State of Bihar
2. Pammi Devi, Daughter of Jai Shankar Upadhyay, Resident of Village-Goh, P.S.-Goh, District-Aurangabad, presently R/o -Vill-Bandu (Near Rocki Sinama Hall), P.O.-Bandu, P.S.-Bandu, District-Ranchi, Jharkhand.
3. Uttam Kumar Bhattacharya, Son of Sateyendra Nath Bhattacharya, Resident of Village - Bandu (Near Rocki Sinama Hall), P.O-Bandu, P.S.-Bandu, District-Ranchi, Jharkhand.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Rajiv Ranjan Kr. Pandey, Advocate
For the State	:	Mr. Ram Bachan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

9 02-03-2022 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Goh P.S. Case No. 83 of 2010 registered for the offence punishable under Sections 498(A) & 379/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

Earlier, notices were issued to opposite party nos. 2 and 3. Opposite party no.3 is the alleged husband of opposite party no.2.

It has been contended on behalf of the petitioner that he was never married to opposite party no.2 and this case is



lodged against the petitioner only with a view to pressurize him to marry with opposite party no.2. It has also been contended that opposite party no.2 and 3 have married and they have a child.

Considering the fact that there are allegations and counter allegations made by the parties against each other, which cannot be decided in the present anticipatory bail proceeding and view of 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 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 the Chief Judicial Magistrate, Aurangabad, in connection with Goh P.S. Case No. 83 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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