

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4210 of 2020

Arising Out of PS. Case No.-289 Year-2018 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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GANESH MEHTA @ Ganesh Yadav S/O- Lakhn Mehta R/O- Laxmipur,
Ward No. 11, P.S.- Shrinagar, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi W/O- Ganesh Mehta@ Ganesh Yadav Permanent Address -
Laxmipur, Ward No. 11, P.S.- Shrinagar, District - Madhepura. Present
Address- Chainpur, Ward No. - 4, P.S.- Shrinagar, District - Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjay Kumar Singh
For the Opposite Party/s	:	Mr. Pushpa Sinha.1
		Mr. Amarnath Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

15 14-02-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under sections 323, 341, 498A read with section 34 of the Indian Penal Code.

Petitioner, who is the husband of O.P. No.2 is said to have assaulted complainant for non-fulfillment of dowry demand. It is also alleged that the petitioner alongwith his family members attempted to administer poison to the complainant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Learned counsel for the petitioner filed a 3rd supplementary affidavit in which he stated that after much persuasion complainant came at the house of petitioner but she did not changed her behavior and again left her matrimonial house and lodged FIR against the petitioner and his family bearing Shree Nagar Police Station Case No.26 of 2022 dated 28.02.2022 u/s 341, 323, 379, 498(A), 504/34 of the IPC and section 3/4 of D.P. Act. He further submits that in Shree Nagar P.S. Case No.26 of 2022, petitioner has been granted bail by learned court below and has also paid interim maintenance amount of Rs.3000 to the complainant, this fact is also not denied by the learned counsel for the complainant. Petitioner has no criminal antecedent.

Learned APP for the State as well as learned counsel for the O.P No.2 opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.289 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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