

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6061 of 2023

Arising Out of PS. Case No.-25 Year-2022 Thana- MAHILA P.S. District- Araria

Mithlesh Yadav @ Mithilesh Kumar Yadav Son of Late Chet Narayan Yadav
R/O Village- Baluva (BALUA) Jagir, Ward No.5, P.S.- Taragach, District-
Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi D/O Bhuwaneshwar Mandal R/O Village- Kankhudiya, Ward
No.01, P.S.- Palasi, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-06-2023 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 498A, 341, 323/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

As per prosecution case, all the FIR named accused
persons including this petitioner tortured and harassed the
informant for non-fulfillment of demand of dowry.

It is submitted on behalf of petitioner that petitioner
happens to be husband of the informant and present case has
been lodged due to petty family dispute. There is general and



omnibus allegation of commission of assault against him. It is further submitted that petitioner is ready to keep the informant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in **2006(3) PLJR 182**.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged 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 Additional Chief Judicial Magistrate-V, Araria in connection with Araria Mahila P.S. Case No. 25 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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