

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7934 of 2023

Arising Out of PS. Case No.-816 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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RAJNISH KUMAR GOSWAMI S/o Janak Goswami R/o Village-
Bhagwanpur, P.S.- Bhagwanpur, Distt- Vaishali. Pin Code- 844114.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari W/o Rajnish Kumar Goswami, D/o Late Satya Narayan Goswami R/o Village- Bhagwanpur, P.S.- Bhagwanpur, Distt-Vaishali. At present Resident of Satyadevpuri Old Exchange Road, Ward no. 10, P.S. and Distt- Sitamarhi. Pin Code- 843302.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Subodh Kumar, Advocate
For the State	:	Mr.Shailendra Kumar, A.P.P.
For the O.P.-2	:	N O N E

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-07-2023 Despite valid service of notice, nobody appears on behalf of complainant / opposite party no. 2.

The petitioner apprehends his arrest in a complaint case punishable for the offence under Section 498(A) of the Indian Penal Code.

It is submitted on behalf of petitioner that petitioner happens to be husband of the complainant 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**. Petitioner has got clean antecedent.

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 J.M. 1st Class, Sitamarhi in connection with Complaint Case No. C-1/ 816 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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