

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8517 of 2023

Arising Out of PS. Case No.-114 Year-2020 Thana- MAHILA P.S District- Supaul

Sarvan Kumar Singh S/O Jivan Kumar Singh R/V- Sihpur, Ward No. 7, P.S.-
Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashmi Kumar W/O Sarvan Kumar Singh D/O Moti Singh R/V- Barail, P.S.
And District- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Arun
For the State	:	Mr.Lakshmi Kant Sharma
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 31-07-2023 Heard learned counsel for the petitioner and learned
Addl. Public Prosecutor. Despite valid service of notice, nobody
appears on behalf of informant/opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offence under Section 498(A), 341, 323, 504,
506/34 of the Indian Penal Code and Section 3 / 4 of the Dowry
Prohibition Act.

3. As per the prosecution case, all the F.I.R. named
accused persons including this petitioner committed torture and
harassment against the informant due to non-fulfillment of
demand of dowry.

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



allegation against him. It is further submitted that petitioner is ready to keep the informant/O.P.-2, as his wife, with full honour and dignity, for which, petitioner has already filed Matrimonial Case No. 29 of 2020 under Section 9 of the Hindu Marriage Act for restitution of conjugal right. Moreover, 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 & Ors. vs. the State of Bihar, reported in 2006(3) P. PLJR 182.*

5. 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 S.D.J.M., Supaul in connection with Supaul Mahila P.S. Case No. 114 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

