

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13030 of 2023**

Arising Out of PS. Case No.-2406 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

Ashwani Kumar Son Of Rajniti Raj R/O Vill.- North Dhamaun, P.S.- Patori,
Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sujata Kumari Wife Of Ashwani Kumar, D/O- Suvedar Choudhary R/O Vill.- Bishunpatti(Marai), P.S.- Jandaha, Distt.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vinay Kumar Mishra
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay
	Mr. Surendra Kishore Thakur
	Mr. Subodh Kumar
	Mr. Manjeet Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A) and 323 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with other accused persons are said to have assaulted the complainant and snatched all her belongings and ousted her from her matrimonial home.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the petitioner is the husband of the complainant and he never demanded any dowry nor tortured the complainant. He further submits that the complainant has filed a Divorce Case No. 257/2020 against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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. 2406 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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