

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 14118 of 2023**

Arising Out of PS. Case No.-560 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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RAJA KUMAR @ RAJA SAHNI S/o Munshi Sahni R/o Gadighat, P.S.-
Mansahi, Distt- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarswati Devi W/o Raja Sahni, D/o Yogendra Sahni R/o Gadighat, P.S.-
Mansahi, Distt- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr Md Shakir Ahmad, APP

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CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

5 04-09-2023 Heard learned counsel for the petitioner and the
learned APP.

2 Despite valid service of notice, no body appears on
behalf of Opposite Party No 2.

3 The petitioner apprehends arrest in Complaint Case
No 560 of 2021 registered for the offence punishable under
Section 498A of Indian Penal Code and Section 4 of Dowry
Prohibition Act.

4 As per the prosecution case, all the named accused
persons including this petitioner tortured and harassed the
complainant due to non-fulfillment of demand of dowry.

5 Learned counsel for the petitioner submits that the
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 complainant, 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 Najmul Haque Ansari @ Naimul Haque Ansari & Others -Versus- The State of Bihar*, since reported in *2006 (3) PLJR 182*.

6 Learned APP has vehemently opposed the prayer for anticipatory bail.

7 Considering the rival submissions, in the event of arrest/surrender within a period of six weeks from today, the petitioner above named be enlarged on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Katihar in Complaint Case No 560 of 2022 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

M.E.H./-

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