

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18975 of 2023

Arising Out of PS. Case No.-734 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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ARJUN KUMAR MANDAL @ ARJUN KUMAR SON OF AKHILESH
MANDAL RESIDENT OF VILLAGE- MOHALIYA, PURANDEHA WARD
NO. 13 PS- DHAMDAHA, DISTRICT- PURNEA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ARTI KUMARI WIFE OF ARJUN KUMAR RESIDENT OF
BISHANPURDUTT, WARD NO. 1 PS BANMANKHI, DISTRICT-
PURNEA

... .. Opposite Party/s

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For the Petitioner/s :	Mr Md Fazle Karim, Advocate
For the Opposite Party/s :	Mr Ajay Kumar No 2, APP

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CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-09-2023 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 C A Case No
734 of 2022 registered for the offence punishable under Sections
498A, 494 of Indian Penal Code and Sections 3/4 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 Judicial Magistrate, 01st Class, Purnea in C A Case No 734 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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