

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17400 of 2023

Arising Out of PS. Case No.-97 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Praveen Mandal @ Praveen Kumar Mandal S/O Raj Kumar Mandal Resident Of Village- Usrahi Enarwa, P.S.- Deodha, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Babita Devi W/O Praveen Mandal @ Praveen Kumar Mandal Resident Of Village- Usrahi Enarwa, P.S.- Deodha, District- Madhubani. Presently Resident Of Village- Bharaspatti, P.S.- Kaluahi, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 30-08-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. Notice was issued to opposite party no. 2 and

was received by the mother of the opposite party no. 2.

3. A jointness petition has been filed on behalf of

the petitioner, in para-5 of which it is stated that the opposite
party no. 2 has remarried and she is presently residing with her
new husband i.e. Mr. Rakesh Kumar Mandal. Learned counsel
for the petitioner submits that at the time of ailing of the case
the opposite party no. 2 is residing with her mother.

4. The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 498A of the



Indian Penal Code.

5. As per the prosecution case, petitioner along with other family members committed torture on the informant's daughter due to non-fulfillment of dowry demand.

6. 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 opposite party no. 2 has already got married with one Mr. Rakesh Mandal and after remarriage, opposite party no. 2 filed a complaint case against the petitioner i.e. Complaint Case No. 97 of 2019, thereafter, she lodged an F.I.R. against the petitioner i.e. Kaluahi P.S. Case No. 66 of 2020. He further submits that in the Kaluahi P.S. Case no. 66 of 2020, petitioner has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 18.05.2023 passed in Cr. Misc. No. 17242 of 2023. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

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

8. Considering the facts and circumstances of the case and the fact that the opposite party no. 2 has solemnized



marriage with another person, 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. 97 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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