

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18851 of 2023

Arising Out of PS. Case No.-333 Year-2022 Thana- BARAHAT District- Banka

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TRIPURARI CHAUBEY son of Parmanand Chaubey Resident of Village-
Kaithpura, P.S.- Barahat, Dist.- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anamika Kumari D/O- Pooran Sah Resident of Village- Panjwara P.S.-
Panjwara Dist.- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 12-09-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for anticipatory bail apprehending his arrest in connection with Barahat P.S. Case no.333 of 2022 registered for the offence punishable under section 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the informant was married to the petitioner in the year 2019. The informant states that they have a 10 month old child out of the said wedlock. It later transpired that her husband was married from before. He refuses to accept the informant as his wife.

4. Learned counsel for the petitioner submits that he



has been falsely implicated in the case. He has no connection with the informant who is married to one Digvijay Sah against whom on an earlier occasion she filed a complaint (Annexure-2) which has been registered as Complaint Case no.1296 of 2020 in the Court of learned Chief Judicial Magistrate, Banka. The petitioner is a happily married person.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Notice was issued to the Opposite Party no.2, however inspite of service of notice and the notice having personally been received by the Opposite Party no.2, no one appears on her behalf.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the submissions made on behalf of the petitioner specially the copy of the complaint petition brought on record by way of Annexure-2 to the petition, the Court is inclined to allow the instant application.

8. In view of the facts, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Barahat P.S. Case no.333



of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

Saurabh/-

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