

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25232 of 2023

Arising Out of PS. Case No.-27 Year-2022 Thana- MAHILA P.S. District- Madhubani

DHARMENDRA KUMAR Son of Lakhan Sah Resident of village -
Bharwara, P.S.- Singhwara, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Kumari Daughter of Raj Kumar Sah Resident of village - Ugna Colony, P.S.- Rahika, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandev Yadav Mr. Ravi Prakash Mr. Udeshya Kumar Yadav
For the Opposite Party/s :		Mr. Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 13-12-2023
1. Heard learned Counsel for the petitioner, learned counsel appearing for the opposite party no. 2 and learned Additional Public Prosecutor for the State.
 2. The petitioner apprehends his arrest in connection with Madhubani (Mahila) Police Station Case No. 27 of 2022, dated 14.09.2022, registered for the offences punishable under Sections 341/323/498-A/504/506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.
 3. The prosecution case, as per the First Information Report, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 22.11.2021, the



petitioner and other family members started demanding a sum of Rs. 10,00,000/- as dowry from the father of the opposite party no. 2 and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally. The petitioner, along with his family members, assaulted the father and brother of the opposite party no. 2, snatched their belongings and ousted the opposite party no. 2 from her matrimonial home.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. Learned counsel further submits that the petitioner has filed a M.M. Case No. 177 of 2022 for restitution of conjugal right with the opposite party no. 2, who is posted as A.N.M. in Health Department, Bihar, Patna.
5. Learned Additional Public Prosecutor vehemently opposes the prayer for bail of the petitioner.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature, alongwith his entire family members, I am



inclined to grant the petitioner privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhubani, in connection with Madhubani (Mahila) Police Station Case No. 27 of 2022.

(Anil Kumar Sinha, J)

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