

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51103 of 2023

Arising Out of PS. Case No.-679 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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MOHAN KUMAR PANDIT @ MOHAN KUMAR @ MOHAN PANDIT
Son of Ganesh Prasad Pandit Resident of village - Rahtauli, P.S. - Hathauri,
Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate Mr. Shishir Kumar Shishir, Advocate
For the Opposite Party/s :		Md. Anbzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under Section 498(A) of the Indian Penal Code.

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

4. It is submitted on behalf of petitioner that 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. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in 2006(3) PLJR 182.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

6. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Rosera, Samastipur in connection with Complaint Case No. 679 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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