

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48970 of 2023

Arising Out of PS. Case No.-1423 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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ABHISHEK DAS @ ABHISHEK KUMAR Son of Ashok Das Resident of
Village-Baro Munshi Tola, P.S.-Fulwariya, District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRITI KUMARI Wife of Abhishek Das @ Abhishek Kumar Resident of
Village-Baro Munshi Tola, P.S.-Fulwariya, District-Begusarai. At present
residing Daughter of Sanjay Das, Resident of Village-Rajawara Bhitatha,
P.S.-Barauni (Garhara O.P.), District-Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-08-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Complaint Case no. 1423C of 2019, registered under
section 498A of the Indian Penal Code.

3. As per the prosecution case, the complainant was
married to the petitioner in June, 2018. It is stated that the
accused persons including the petitioner herein started to torture
the complainant for demand of dowry which was to the tune of
Rs.1 lakh in cash and a motorcycle. They used to abuse, assault



as also physically and mentally torture the complainant. As such the complaint.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on account of his being the husband of the complainant. The allegations besides being general and omnibus are false and concocted. The petitioner has always been ready to keep the complainant ie his wife with full honour and dignity. Learned counsel further referring to the order of the learned trial Court submits that the learned Court below has categorically noted the submission made on behalf of the petitioner that he was ready to keep the complainant wife with full dignity and honour but the learned lawyer for the complainant submitted that the complainant is not ready to live with the petitioner on account of his sexual orientation.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the complaint petition together with the contents of the order of the learned trial Court as also the petitioner not having any criminal antecedent, 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 Complaint Case no. 1423C of 2019 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 Judicial Magistrate, 1st Class, Begusarai.

(Partha Sarthy, J)

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