

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49906 of 2023

Arising Out of PS. Case No.-1335 Year-2020 Thana- PURNIA COMPLAINT CASE District-
Purnia

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RAMAN KUMAR S/O Sri Hari Narayan Mehta R/O Village- Kohbara, P.S-
K.Nagar, Distt.- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari D/O Sri Bhupneshwar Mehta R/O Village- Ramnagar
Kohbara, P.S- K. Nagar, Distt.- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered
for the offences punishable under Sections 420, 498(A), 323 and
324 of the Indian Penal Code and Section 12 of the Domestic
Violence Act.

3. It is alleged that this petitioner assaulted the
complainant and got her signature on blank paper and thereafter,
ousted her from the house. It is further alleged that he also
committed mental and physical harassment to the complainant
due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner denies the
prosecution case and submits that marriage of the complainant
with this petitioner has already been dissolved *vide* decree and
order dated 23.08.2019 passed in Matrimonial Case No. 88 of



2019 by learned Principal Judge (Family Court), Purnea and since then the complainant is living separately with her parents and as such, there is no question of commission of the alleged offence. 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 Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 1335 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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