

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55478 of 2022

Arising Out of PS. Case No.-1118 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

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INDRAJEET KUMAR Son of Vishnudeo Mahto R/V- Hemjapur, Chand Tola,
P.S- Dhrahara, Dist- Munger, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vandana Kumari D/o Indradeo Mahto, W/o Indrajeet Kumar R/o Chuabag,
P.S- KasimBazar, Dist- Munger, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalan Kumar , Advocate

For the Opposite Party/s : Mr. Abhay Kumar , Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 29-08-2023 1. Nobody appears on behalf of the opposite party
- No.2.
2. In this case, notice has been received by the full
- brother of the opposite party No. 2. Learned counsel for the
- petitioner, by filing a supplementary affidavit, submits that the
- opposite party No. 2 is residing with her full brother in the same
- house i.e. in her maika.
3. In that view of the matter, notice is deemed as
- validly served.
4. Heard learned counsel for the petitioner and the
- State.
5. The petitioner apprehends arrest in a case



registered for the offences punishable under Sections 494, 498(A) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

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

7. 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**.

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

9. 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 S. D. J . M., Munger in connection with Complaint Case No. 1118C 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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