

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67254 of 2022

Arising Out of PS. Case No.-1388 Year-2018 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Vijay Kumar, S/O Arun Kumar, Resident of village- Machharhatta Gali Barh,
P.S.- Barh, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirmala Devi, W/O Vijay Kumar, Resident of village- Azad Akbarpur, Post-
Rajhat, P.S.- Akbarpur, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 17-04-2023 Despite valid service of notice, nobody appears on
behalf of the Opposite party No. 2.

Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 498(A) of the Indian
Penal Code and Section 4 of the Dowry Prohibition Act.

There is allegation of demand of dowry and ill
treatment on refusal to meet the dowry demand.

Petitioner denies the prosecution case and submits
that he is ready to keep his wife i.e. opposite party No. 2
namely, Nirmala Devi with full honour and dignity. Counsel for
the petitioner further submits that the offence 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**.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below 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 Sub Divisional Judicial Magistrate, Nawada in Complaint Case No. 1388 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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