

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70481 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SUNIL KUMAR Son of Rupan Ram R/o vill.- Gamhariya, P.S.- Raxaul,
Dist.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Nisha Wife of Sunil Kumar D/o Shriramprit Ram, R/o village -
Jokiyari, P.S.- Raxaul, Dist.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-06-2023 Despite valid service of notice, nobody appears on
behalf of the opposite party No. 2.

Heard learned counsels for the parties.

The petitioner apprehends arrest in a case registered
for the offences under Sections 341, 323, 498(A) of the Indian
Penal Code and Section 3 / 4 of Dowry Prohibition Act.

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

It is submitted on behalf of petitioner that petitioner
happens to be husband of the informant 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 informant, 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**.

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

Considering the aforesaid facts and circumstances, 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 Sub-Divisional Judicial Magistrate, Raxual, East Champaran in connection with Complaint Case No. 149 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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