

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72477 of 2022

Arising Out of PS. Case No.-1038 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Shri Aakash Jha S/o Shri Bimal Kant Jha R/o- 37 Mithila Colony Road No. 05, North Patel Nagar, P.O.- Keshri Nagar, P.S.- Patliputra, Patna- 800024

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivangini @ Sakshi D/o Shri Brajbhushan Jha R/o- Flat No. 301, Indu Enclave Apt., Near Dr. B Bhattacharya Clinic, West Patel Nagar, P.O. and P.S.- Shastrinagar, District- Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manu Tripurari, Advocate Mr. Apurv Harsh, Advocate Mr. Prashant Bhardwaj, Advocate Mr. Sujit Kumar, 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

5 19-05-2023 Heard learned counsels for the parties.

The petitioner apprehends arrest in a case registered for the offences under Sections 313, 341, 323, 379, 498(A), 504, 506/34 of the Indian Penal Code and Section 3 / 4 of Dowry Prohibition Act.

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. Petitioner is ready to



pay monthly maintenance allowance of Rs. 5,000/- (five thousand) however, the same has been denied by the opposite party No. 2. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a judgment of Hon'ble Supreme Court in the case of *Arnesh Kumar versus State of Bihar*, reported in AIR 2014 SC 2756.

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, Patna Sadar in connection with Complaint Case (P) No. 1038 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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