

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72455 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- MAHILA PS District- Jamui

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BRAJESH KUMAR MANDAL @ BRAJESH KUMAR Son of Awadhesh Mandal @ Awadhesh Kumar Mandal Resident of Village- Jorabardih, P.S.- Kauakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 498(A)/323/506 of the Indian Penal Code and Section 3 / 4 of Dowry Prohibition Act.

As per F.I.R., petitioner is alleged to have solemnized marriage with the informant and due to non-fulfillment of demand of Rs. 10 lacs, as dowry, the informant was ousted from her matrimonial house by the accused persons.

Petitioner denies the prosecution case and submits that all the allegation, as levelled in the F.I.R., are false and concocted. In fact, petitioner has not solemnized marriage with the informant and as such, no case is made out against this petitioner with regard to commission of assault and demand of dowry. It is further 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 S.D.J.M., Jamui in connection with Jamui Mahila P.S. Case No. 31 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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