

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11 of 2023**

Arising Out of PS. Case No.-285 Year-2021 Thana- GAYA MUFASIL District- Gaya

RAJESH KUMAR MEHTA @ RAJESH KUMAR S/o Shri Birendra Mehta
R/o Lower Hatia Jagdev Colony, P.S.- Jagarnathpur (Hatia), Distt- Ranchi
(Jharkhand), Present Address- Village- Sihin, P.S.- Hishuya, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 15-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 323/498(A)/34 of the Indian Penal Code and Sections 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 demand of dowry and commission of assault against him. It is further submitted that petitioner is still 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
C.J.M., Gaya in connection with Gaya Muffasil P.S. Case No.
285 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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