

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5946 of 2024

Arising Out of PS. Case No.-403 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

Anjan Kumar @ Anjan Kumar Ray Son of Amarendra Kumar Ray R/o vill -
Jagarnathpur, P.s. - Biraul (Jagarnathpur O.P), Distt. - Darabhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vandana Kumari W/o Anjan Kumar @ Anjan Kumar Ray D/o Vijay Ray,
R/o vill - Kharahiya, Post - Mangalgadh, P.s. - Hasanpur, Distt. - Samastipur
(Bihar)

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Bhubneshwar Mahto, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P.2	:	None

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 13-08-2024 Heard learned counsel for the petitioner and Mr.

Umeshanand Pandit, learned A.P.P. for the State. Despite valid
service of notice, nobody appears on behalf of opposite party
no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Section 498A of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

3. Allegation against petitioner is of matrimonial
cruelty and demand of dowry.

4. Learned counsel for the petitioner, while denying
the allegations made in the complaint petition, submits that



petitioner has been falsely implicated in this case merely because he is husband of the opposite party no. 2. He never demanded any dowry or committed torture with opposite party no. 2 and is still ready to keep her with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further relied upon the 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*. Petitioner has got clean antecedent.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let this petitioner, as named above, 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 the learned A.C.J.M. - IV, Rosera, Samastipur in connection with Complaint Case No. 403 of 2022, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

