

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8954 of 2024

Arising Out of PS. Case No.-1323 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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MANOJ PRABHAKAR SON OF SITA RAM PANDIT RESIDENT OF
VILLAGE - WARD NO.20, GULZAR BAG, P.S. - MADHEPURA,
DISTRICT - MADHEPURA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. JYOTI KIRAN KUMARI WIFE OF MANOJ PRABHAKAR RESIDENT
OF VILLAGE - WARD NO.20, GULZARBAG, P.S. - MADHEPURA,
DISTRICT - MADHEPURA, AND ALSO PRESENT RESIDENT - JYOTI
KIRAN KUMARI, D/O. ARUN KUMAR, VILLAGE - HAJARI
MUHALA, P.S. - MEHADIGANJ, DISTRICT PATNA AND ALSO
PRESENT - SARISTABAD TOLA, P.S. - GARDANIBAG, DISTRICT -
PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Arvind Kumar
For the State	:	Mr.Gauri Shankar Gupta
For the O.P.2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 06-08-2024 Heard learned counsel for the petitioner and 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 punishable under Section 498-A of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

3. Allegation against this petitioner is of matrimonial
discord 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 happens to be husband of the opposite party no. 2. However, he is ready to keep the opposite party no. 2 with honour and dignity. He further submits that petitioner has also filed a case i.e. Matrimonial Case No. 1169 of 2018 under Section 9 of the Hindu Marriage Act in the court of learned Principal Judge, Family Court, Patna for restitution of conjugal rights and pursuant to order of the learned Family Court, Patna, the petitioner is already paying maintenance of Rs. 9,000/- (Nine thousand) per month to the opposite party no. 2 (Annexure P-2 to the supplementary affidavit) and undertakes to pay the same regularly.

5. Considering the fact that petitioner is already paying Rs. 9,000/- (Nine thousand) per month to the opposite party no. 2, as maintenance, and he undertakes to pay the same regularly, the anticipatory bail petition of petitioner is allowed.

6. In the event of arrest or surrender within 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 Sub-Divisional Judicial Magistrate, Patna in connection with Complaint Case No. 1323-C of 2016, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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