

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10322 of 2024

Arising Out of PS. Case No.-431 Year-2022 Thana- FALKA District- Katihar

SUBHANKAR KUMAR @ GUDDU YADAV S/O SUBODH YADAV
RESIDENT OF PURWI BARINAGAR ASHRAM TOLA, PS. BARARI,
DIST. KATIHAR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SONIKA KUMARI D/O SHYAM SUNDAR MANDAL RESIDENT OF
CHAKLA MAULA NAGAR, PS. FALKA, DIST. KATIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajit Kumar Singh, Advocate
For the State	:	Dr. Kumar Uday Pratap, APP
For Opposite Party No.2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of informant/Opposite Party No. 2.

3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 341, 323,
420, 498A and 313 of the Indian Penal Code and Section 4 of
the Dowry Prohibition Act.

4. As per the prosecution case, this petitioner is
husband of the informant/Opposite Party No. 2 and allegation
against him is that he used to assault and torture the
informant/Opposite Party No. 2 due to non-fulfillment of
demand of dowry.



5. Learned counsel appearing on behalf of the petitioner, while denying the allegations made in the F.I.R., submits that as a matter of fact, the informant/Opposite Party No. 2 is already married with one Viyas Yadav as per Hindu Rites since 22.03.2015 and she also filed Complaint Case No. 943 of 2016 in the Court of learned C.J.M., Katihar, and Matrimonial Case No. 537 of 2017 in the Court of learned Principal Judge, Family Court, Katihar, against her husband Viyas Yadav. Learned counsel further submits that at no point of time, this petitioner married with the informant/Opposite Party No. 2. Rather, petitioner is married with one Ankita Kumari in the year 2019 and is also blessed with two children from the wedlock. Learned counsel further submits that petitioner has falsely been implicated in this case. Petitioner claims clean antecedents.

6. Considering the aforesaid facts and circumstances of the case, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest or surrender within six weeks from today, let the 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 S.D.J.M., Katihar, in connection with Falka P.S. Case No. 431 of 2022, 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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