

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20962 of 2024

Arising Out of PS. Case No.-1898 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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SANTOSH SINGH S/O LATE SUKHDEV PRASAD SINGH R/O
VILLAGE- PARGHARI, P.O AND P.S- SABOUR, DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. PRITI SINGH W/O SANTOSH SINGH R/O VILLAGE- PARGHARI, P.O
AND P.S- SABOUR, DISTT.- BHAGALPUR. AT PRESENT VILLAGE
AND P.O- SHEKHPURA, P.S- WARISNAGAR, DISTT.- SAMASTIPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Deepak Kumar Singh
For the State	:	Mr.Khurshid Anwar
For the O.P.2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-10-2024 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 under Section 498A of the Indian Penal Code.

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

4. While denying the allegations made in the complaint
petition, learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case merely



because he happens to be husband of opposite party no. 2. He never demanded any dowry or committed torture with opposite party no. 2 or and is still ready to keep the opposite party no. 2 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*.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight 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 C.J.M., Samastipur / concerned court in connection with Complaint Case No. 1898 of 2021, 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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