

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12617 of 2024

Arising Out of PS. Case No.-46 Year-2017 Thana- KATIHAR COMPLAINT CASE District-
Katihar

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Munshi Murmu Son Of Bhola Murmu @ Bola Murmu R/O Village- Kirtiniya,
P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhali Hasanda Wife Of Munshi Murmu, D/O Lukhi Hasanda At Present
Resident Of Village- Hundeli, P.S.- Pranpur, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md Musowir, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 03-07-2024 Despite valid service of notice, nobody appears on
behalf of the O.P. No. 2.

2. Heard learned counsel for the petitioner and the
State.

3. The petitioner apprehends arrest in a case registered
for the offences punishable under Sections 498(A), 494, 120(B),
406 of the Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act.

4. As per the complaint case, complainant was
married with the petitioner but after 9 years of marriage, this
petitioner demanded a motorcycle in dowry from the
complainant and due to non-fulfillment of the demand, all the



named accused persons including this petitioner tortured and harassed the complainant and ousted her from the matrimonial house.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the complainant and present case has been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. It is further submitted that petitioner is ready to keep the complainant, 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**.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that 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



Sub-Divisional Judicial Magistrate, Katihar in connection with
C.A. Case No. 46 of 2017, subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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