

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13483 of 2024

Arising Out of PS. Case No.-163 Year-2019 Thana- DANAPUR District- Patna

Ranjan Soni Son of Late Ram Nath Sah Resident of Mubarakpur, Saloni Studio, Tower Gali, P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivani Soni Daughter of Dipak Lal R/o Bhattha Road, Bibiganj, P.S.- Danapur, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P.-2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 26-06-2024 Supplementary affidavit has been filed on 29.04.2024 on behalf of petitioner stating therein that the notice, issued to opposite party no. 2, has been received by her father and at present, opposite party no. 2 is living with her father.

2. Accordingly, the notice issued to opposite party no. 2 is treated as validly served, however on call, nobody appears on her behalf.

3. Heard Mr. Sanjay Kumar, learned counsel for the petitioner and Mr. Umeshanand Pandit, learned A.P.P. for State.

4. The petitioner, husband of the opposite party no. 2, apprehends his arrest in a case registered for the offence under Sections 341, 323, 504, 498(A) of the Indian Penal Code and



Section 3 / 4 of the Dowry Prohibition Act.

5. As per prosecution case, the opposite party no. 2 was married with this petitioner in the year 2018 and after the marriage, when she went to her matrimonial house, she was subjected to torture and harassment by this petitioner and other in-laws family members due to non-fulfillment of demand of dowry and lastly, on 10.01.2019, she was ousted from her matrimonial house.

6. Learned counsel for the petitioner, while denying the allegations made in the F.I.R., 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 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.

7. 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 S.D.J.M., Danapur (Patna) in connection with Danapur P.S. Case No. 163 of 2019, 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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