

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13607 of 2024

Arising Out of PS. Case No.-736 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Kanishk Singh @ Kanishk S/o- Chandra Deo Singh @ Chandradeo Singh Flat
no 401, Hope royal Regency, Bailey Road, Near Shiv Mandir, Vijay Nagar,
Rukkunpura, Patna, P/A- Dariyapur Bikrampur Po-Sarobagh Ps- Dharahra
Dist- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhilasha Kumari wife of Kanishk Singh @ Kanishk Flat no 401, Hope
royal Regency, Bailey Road, Near Shiv Mandir, Vijay Nagar, Rukkunpura,
Patna P/A- Nandpuri Near Jagdamba Asthan Near Kanya Vivah Bhawan Ps-
Sadar Dist- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Jagjit Roshan, Advocate
For the State	:	Mr. Jai Narain Thakur, APP
For Opposite Party No.2	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-07-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

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

3. The petitioner apprehends arrest in a case registered
for the offences punishable under Sections 323, 504, 506, 354A,
498A and 34 of the Indian Penal Code and Sections 3 and 4 of
the Dowry Prohibition Act.

4. As per prosecution case, this petitioner is alleged to
have committed torture and harassment with the



informant/Opposite Party No. 2 due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the informant and present case has been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. As a matter of fact, the petitioner never demanded any dory from the informant/Opposite Party No. 2. It is further submitted that petitioner is ready to keep the informant, 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, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, 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 Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur Sadar P.S. Case No. 736 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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