

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14762 of 2023

Arising Out of PS. Case No.-257 Year-2021 Thana- CIVIL LINE District- Gaya

ANIRBAN BISWANGRI S/O ANIMESH KANTI BISWANGIRI Resident of
Flat No.- 704, Exotica C wing, Opposite Cricket Stadium, Case Rio Gold
Kalyan, Dombivali, P.S.- Manpada, Dist.- Thane, State- Maharashtra, Pin
Code- 421204

... .. Petitioner/s

Versus

1. The State of Bihar
2. APRAJITA CHAKRABORTY BISWANGRI D/O RAVI CHAKRABORTY
Resident of Village- Tilha Kali Bari Mandir, P.S.- Civil Lines, District-
Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan
For the Opposite Party/s : Mr. Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

12 13-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Civil Lines P.S. Case No. 257 of 2021, for the
offences punishable under Sections 498A, 354B, 34 of the
Indian Penal Code and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the informant's
marriage was solemnized with the petitioner, in which the
informant's family gifted them gifts worth Rs. 10 Lakhs but
before the marriage, the informant father's-in-law demanded Rs.
1,50,000/- for marriage. After the marriage, the informant's



mother-in-law and sister-in-law forcibly took her all jewelleryes. It is further alleged that the father-in-law used to sleep beside her and touched her, on this, the informant's sister-in-law and mother-in-law directed to keep mum and told to obey her father-in-law. Thereafter, the informant's father-in-law did obscene act and the informant's husband did not object, rather they demanded Rs. 25 Lakh as dowry and tortured her physically and mentally. When the informant was going to Gaya for her exams, the accused persons threatened to kill her and took her signature on the blank paper. The accused person refused to keep the informant.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is the husband of the informant. The petitioner neither demanded any dowry nor tortured the informant. The petitioner is ready to keep the complainant (O.P. No.2) with full dignity and honour. The petitioner has 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.”*** Learned counsel has further relied on the judgments in the case



of *Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351* and *Md. Asfak Alam Vs. The State of Jharkhand & Anr.* Passed in Criminal Appeal No(s). 2207 of 2023, arising out of Special Leave Petition (CRL.) No. 3433 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Civil Lines P.S. Case No. 257 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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