

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13108 of 2023

Arising Out of PS. Case No.-1902 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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SHUBHAM MISHRA @ BAJRANGI S/O SHRIKANT MISHRA R/v-
Mandurahan, P.S.- Chiraiya, District- East Champaran Presently residing at
Gaytri Nagar, P.S.- Motihari Town, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. GOLDI KUMARI @ AASTHA MISHRA D/O SANJAY CHAUBEY @
SHRIKANT CHAUBEY W/O SHUBHAM MISHRA @ BAJRANGI
Residing at Bangri, P.S.- Pipra Kothi, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sangeet Deokuliar
For the Opposite Party/s :	Mr. Parmanand Kumar
	Mr. Manoj Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioner, learned
counsel for the complainant as well as learned Additional
Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 498A of
the Indian Penal Code and 3 & 4 of Dowry Prohibition Act.

3. Petitioner, who is the husband of the complainant, is
said to have assaulted her and ousted her from her matrimonial
home in association of his family members on the pretext of
non-fulfillment of demand for dowry.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. There is no specific overt act against the petitioner. He further submits that the petitioner is already paying Rs.5000/- per month to the O.P. No.2 as maintenance. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for anticipatory bail. It is submitted by the learned counsel for the complainant that he has no knowledge about the payment of Rs.5000/- per month to the complainant.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.1902 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, if it is found that the petitioner is not



paying Rs.5000/- per month to the complainant, then the complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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