

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26735 of 2024

Arising Out of PS. Case No.-215 Year-2020 Thana- BUXAR COMPLAINT CASE District-
Buxar

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DHANANJAY @ DHANANAJAYA UPPADHYAY @ DHANANJAY
KUMAR S/O CHAMAN UPADHYAY R/O 4 BIHAR REGIMENT
QUARTER, RAMNAGAR KHOJA TOLI, P.S- NAMKUN, DISTT.-
RANCHI , JHARKHAND-834010.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. RUBI DEVI @ RUBI KUMARI W/O DHANANJAY @ DHANANAJAYA
UPPADHYAY @ DHANANJAY KUMAR R/O 4 BIHAR REGIMENT
QUARTER, RAMNAGAR KHOJA TOLI, P.S- NAMKUN, DISTT.-
RANCHI , JHARKHAND-834010. AT PRESENT RESIDING AT
VILLAGE AN DP.O- DEVKULI, P.S- BRAHMPUR, DISTT.- BUXAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Siddharth Aditya
For the Opposite Party/s	:	Mr.Surendra Prasad Singh
For the Complainant	:	Mr. Lalmani Sharma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for petitioner, learned counsel

for the O.P. No.2 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 323, 504, 379, 498(A)
and 34 of the Indian Penal Code and Section 3 and 4 of the
Dowry Prohibition Act.

3. Petitioner, who is the husband of O.P. No.2, is said to
have assaulted her and ousted her out of her matrimonial house
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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He submits that the petitioner is unemployed as of now and the O.P. No.2 is working in a private company. He further submits that the petitioner has filed a divorce case against the O.P. No.2 and O.P. No.2 has also filed a maintenance case and in the said maintenance case, argument has been concluded. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, 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.215-C of 2020, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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