

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16625 of 2024

Arising Out of PS. Case No.-103 Year-2015 Thana- PIRPAINTI District- Bhagalpur

Tulsi Kumar S/o Ramchandra Mandal R/o Village - Tarba, P.S. - Pirpanti,
Dist. - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vandana Devi W/o Tulsi Kumar, D/o Ramchandra Mandal R/o Vill - Tarba,
P.S. - Pirpanti, Dist. - Bhagalpur, Pin Code - 813204

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

5 22-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498(A) of the Indian Penal
Code as well as Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that
petitioner, being the husband, has been falsely implicated in the
instant case. It is further submitted that opposite party no. 2, despite
receiving notice validly, chooses not to appear and contest the case
which amply demonstrates that the instant case was instituted only
with a view to harass the petitioner. It is next submitted that after
filing of the instant anticipatory bail application the petitioner came
to know that opposite party no. 2 has performed her second marriage
but then petitioner presently is not aware of the details of her second



marriage but then submits that this perhaps explains why the opposite party no. 2, despite receiving notice, chooses not to appear and contest the case.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Pirpainti P.S. Case No. 103 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the opposite party no. 2 shall be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioner if she has not performed her second marriage.

(Satyavrat Verma, J)

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