

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22533 of 2024

Arising Out of PS. Case No.-1127 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Sanjay Kumar Singh @ Sanjay Kumar Son of Dilip Mahto Resident of
Village- Dih Sarsauna, Police Station- Bangara, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rangila Kumari Wife of Sanjay Kumar Singh @ Sanjay Kumar, Daughter of
Manoj Singh Resident of Village- Dih Sarsauna, Police Station- Bangara,
Dist.- Samastipur, At present Residing at Village- Vishnupur Bathua, Police
Station- Pusa, Dist.- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap
For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-08-2024 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 Sections 341, 323,
379, 307 and 498A of the Indian Penal Code read with Sections
3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that
since the notice on behalf of the O.P. No. 2 was received by her
brother, as such, a jointness application has been filed on
14.08.2024, it is next submitted that the notice was received by
the brother of the O.P. No. 2 prior to 31.07.2024, but then the



O.P. No. 2 chooses not to appear and contest.

4. Learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the complainant with an allegation that petitioner at the time of marriage had demanded a four wheeler, consumes liquor and tortures her frequently on account of which she had to undergo miscarriage twice. The learned counsel submits that the entire allegations are general and omnibus in nature. It is also submitted that petitioner, being fed up with the conduct of the O.P. No. 2, filed divorce case being Divorce Case No. 73 of 2023 which is pending adjudication in the Court of learned Principal Judge, Family court, Samastipur. It is next submitted that after the divorce case was filed, the instant complaint case came to be instituted. It is also submitted that since O.P. No. 2 despite being aware of the pendency of the instant anticipatory bail application chooses not to appear and contest, which amply demonstrates that she is not interested in reviving her conjugal relationship.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Complaint Case No. 1127 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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