

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24367 of 2024

Arising Out of PS. Case No.-652 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

Appu Kumar Sharma Son of Rambriksh Sharma Resident Of Village Barhi,
P.S.- Keoti, Dist.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari Wife of Appu Kumar Sharma, D/o Binod Sharma Resident of Trimuhani Kopi, P.S.- Baheri, Dist.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-07-2024 Despite valid service of notice, nobody appears on behalf of the O.P. No. 2.

2. Heard learned counsel for the petitioner and the State.

3. The petitioner apprehends arrest in a case registered for the offences punishable under Sections 494, 498A, 323, 341, 406, 420, 504, 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

4. As per prosecution case, O.P. No. 2 was married with the petitioner on 28.06.2021 and thereafter, all the accused persons including this petitioner tortured and harassed her due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the complainant and present case has



been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a 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.

6. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Complaint Case No. 652 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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