

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24880 of 2024

Arising Out of PS. Case No.-1052 Year-2021 Thana- MUNGER COMPLAINT CASE
District- Munger

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SAURABH KUMAR SON OF UMESH CHANDRA THAKUR Resident of
Village - Nand Nagar Colony, Saidpur Nahar Road, P.S. - Bahadurpur,
District - Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAKHI KUMARI DAUGHTER OF SUSHIL KUMAR, WIFE OF
SAURABH KUMAR Resident of Village - Mohanpur, P.S. - Jamalpur,
District - Munger

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Anand, Advocate
Mrs. Madhuri Kumari, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 22-11-2024 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 498(A),
323 and 307 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
notices were issued by order dated 28.06.2024 and the same was
received by the father of the opposite party no. 2 for which a
jointness application has been filed.

4. In view of the fact that the jointness application has
been filed stating therein that opposite party no. 2 is residing



with her father, the notice is deemed to have been validly served.

5. Learned counsel for the petitioner submits that petitioner, being the husband, has been falsely implicated in the instant case by the complainant. It is further submitted that from perusal of the allegation as alleged in the complaint, it would manifest that the same is general and omnibus in nature. It is next submitted that it absolutely does not stand to reason that if the petitioner along with his entire family member would have tried to burn the complainant in that event it does not appear probable that the complainant could have saved herself. It is also submitted that the said allegation has been made only to give seriousness to the case. It is submitted that the complainant did not appear before the learned district court nor before this Court which amply demonstrates that she is not interested in reviving her conjugal relationship.

6. Learned counsel for the petitioner based on instruction asserts and submits that petitioner still is willing to keep the complainant with honour and dignity unconditionally but then she is not showing any interest.

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



8. 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 Complaint Case No. 1052C of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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