

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27648 of 2024

Arising Out of PS. Case No.-31 Year-2023 Thana- MAHILA PS District- Gaya

Nikhil Kumar @ Shakti Kumar Son of Ramanuj Prasad Resident of Village-
Gautam Nagar, P.S.- Bodh Gaya, Dist.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Prithvi Kumari Daughter of Sri Kishor Kumar Resident of village-
Kaldaspur, P.S.- Chandauti, Dist.- Gaya, Pin-823001

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, App

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of opposite party no. 2.

2. The petitioner, being husband of the victim,
apprehends his arrest in a case punishable for the offence under
Sections 341 , 323 and 498(A) of the Indian Penal Code and 3/
4 of the D. P Act.

3. As per the prosecution case , the daughter of the



complainant was married with this petitioner in the year 2022 and after the marriage, when she went to her matrimonial house, she was subjected to torture and cruelty by this petitioner and other in-laws family members due to non-fulfillment of demand of dowry and lastly, she was ousted from her matrimonial house .

4. Learned counsel for the petitioner, while denying the allegations made in the F.I.R., submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the victim. However, he is ready to keep the victim with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further relied upon the 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* . Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of six weeks from today, let this petitioner, as named above, 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 the learned SDJM Gaya in connection with Mahila PS Case No.



31 of 2023 , subject to the conditions, as laid down under
Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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