

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24883 of 2024

Arising Out of PS. Case No.-364 Year-2023 Thana- RUPASPUR District- Patna

Abhimanyu Pratap Son Of Ramjee Singh Village- Sundar Nagar, Jagdeo Path
Chhoti Rukanpura, Ps- Rupaspur, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Istuti @ Istuti Singh Wife Of Abhimanyu Pratap Singh Village- Kanjhwa,
Ps- Obra, Dist- Aurangabad, P/A- Village- Sundar Nagar, Jagdeo Path
Chhoti Rukanpura, Ps- Rupaspur, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivek Kumar, Advocate
For the Opposite Party/s	:	Mr. Ramesh Chandra, A.P.P. Mr. Mirityunjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2024 Heard learned counsel for the parties.

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

3. As per prosecution case, this petitioner along with his mother tortured and harassed O.P. No. 2 due to non-fulfillment of demand of dowry.

4. It is submitted on behalf of petitioner that petitioner happens to be husband of the O.P. No. 2. Petitioner is employed in Indian Air Force and he has never demanded any dowry or committed torture upon the O.P. No. 2. Present case has been



lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. It is next submitted that as per order dated 27.07.2023, Rs. 17,600/- are being deducted monthly from account of the petitioner as maintenance allowance to the O.P. No. 2 and his children (Annexure P-3). It is further submitted that petitioner is ready to keep the O.P. No. 2, 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**.

5. Learned A.P.P. for the State as well as learned counsel for the O.P. No. 2 have opposed the prayer for anticipatory bail of petitioner.

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 Chief Judicial Magistrate, Danapur in connection with Rupaspur



P. S. Case No. 364 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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