

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34279 of 2023

Arising Out of PS. Case No.-45 Year-2021 Thana- SHEKHPURA District- Sheikhpura

Ajeet Kumar S/O Dina Nath Prasad R/O Village-NER, P.S. Makdumpur,
Distt.-Jehanabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Jyoti Kumari, D/o Surya Dev Prasad, R/o Village- Rajaura, P.S. Ariyari,
District- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 10-04-2024 Despite valid service of notice, nobody appears on
behalf of the opposite party No. 2.

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

3. The petitioner apprehends arrest in a case registered
for the offence punishable under Section 498(A)/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

4. As per prosecution case, all the named accused
persons including this petitioner tortured and harassed the
opposite party No. 2 due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner
happens to be husband of the opposite party No. 2 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 opposite party 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**.

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, Sheikhpura in connection with Sheikhpura (Mahila) P. S. Case No. 45 of 2021 subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

