

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38926 of 2024

Arising Out of PS. Case No.-1372 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Aditya Kumar @ Sameer @ Sameer Kumar Son of Shambhu Nath Prasad
Resident of Village - Ramgadhiya, P.S.- Arrah Town, District - Bhojpur.
... .. Petitioner

Versus

1. The State of Bihar
2. Anjali Devi Wife of Aditya Kumar @ Sameer Kumar @ Sameer, Daughter of Sudarshan Prasad Resident of Village - Piro, P.S.- Piro, District - Bhojpur, Presently resides at C/O Amit Kumar, Maruti Nagar, P.S. - Arrah(Town), District - Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandan Kumar Verma, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 24-09-2024 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite party no.2.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 341,323, 498A 34 of the Indian Penal Code.

3. As per the prosecution case, petitioner was married to the opposite party no.2 on 8.3.2016. Later on, petitioner along with other family members committed torture on opposite party no.2 due to non-fulfilment of dowry demand.

4. Learned counsel appearing for the petitioner while denying the allegations, submits that the petitioner has falsely been implicated in this case because he is husband of the victim. Prior to the filing of the instant case, petitioner has filed Divorce Case No. 133/2022 before the Principal Judge, Family Court, Bhojpur at Ara. However, petitioner is ready to keep the



victim in matrimonial house with honour and dignity. The case is triable by the 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**.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within 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 Judicial Magistrate 1st class, Bhojpur at Ara in Complaint Case No. 1372C/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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