

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36622 of 2024

Arising Out of PS. Case No.-190 Year-2023 Thana- WARISLIGANJ District- Nawada

Pawan Kumar Son of Saryu Mahto Resident Of Village - Korma, P.S.
Warisaliganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi Daughter Of Nagina Prasad Resident Of Village - Korma, P.S.
Warisaliganj, District- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pramod Kumar Verma
For the State	:	Mr. Ajay Kumar No. 2
For the O.P.2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-09-2024 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, husband of the opposite party no. 2,
apprehends his arrest in a case registered for the offence under
Sections 323, 341, 498A, 34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

3. Allegation against petitioner is of matrimonial
cruelty and demand of dowry.

4. While denying the allegations made in the F.I.R.,
learned counsel for the petitioner submits that petitioner has
been falsely implicated in this case merely because he happens



to be husband of opposite party no. 2. He never committed any torture with opposite party no. 2 or demanded dowry and is still ready to keep the opposite party no. 2 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*.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight 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 J.M. 1st Class, Nawada in connection with Warisaliganj P.S. Case No. 190 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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