

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37224 of 2024

Arising Out of PS. Case No.-1214 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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GULSHAN KUMAR SON OF SONA LAL SAH RESIDENT OF VILLAGE-
SONBARSA, P.S.- HARSIDHI, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KUMARI ASHA WIFE OF GULSHAN KUMAR, DAUGHTER OF
MAHENDRA SAH RESIDENT OF VILLAGE- SONBARSA, P.S.-
HARSIDHI, DIST- EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shakil Ahmad Khan, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP
For Opposite Party No.2	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-09-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Despite filing *vakalatnama*, nobody appears on
behalf of the Opposite Party No. 2.

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

4. Allegation against the petitioner is of matrimonial
cruelty and of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner
happens to be husband of the complainant and present case has



been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. As a matter of fact, the petitioner at no point of time demanded any dowry or committed torture. It is further submitted that petitioner is ready to keep the complainant, 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**. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of eight 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 S.D.J.M., Sadar Motihari, East Champaran, in connection with Complaint Case No. 1214



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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