

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38818 of 2024

Arising Out of PS. Case No.-224 Year-2019 Thana- Kharagpur District- Munger

Manoj Kumar @ Manoj Hasdah @ Manoj Hembram Son of Late Sunil Soren
Resident of Village - Kari Ghati, P.S.- Haveli Kharagpur, District - Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ankita Hembrom Wife of Manoj Kumar @ Manoj Hasdah @ Manoj Hembram D/O Budd Dev Hembrom, Resident of Village - Pindra, Bhagaiya, P.S.- Miya Chauki, District - Sahebganj.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shashi Saurabh, Advocate
For the State	:	Md. Nazir Ansari, APP
For Opposite Party No.2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-09-2024 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, 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 341, 323, 504, 506,
498A and 34 of the Indian Penal Code.

4. As per prosecution case, this petitioner, who
happens to be husband of the informant/Opposite Party No. 2, is
alleged to have subjected the informant to physical and mental
harassment due to non-fulfillment of demand of dowry. It is
further alleged that this petitioner has also solemnized second



marriage and has ousted the informant/Opposite Party No. 2 from her matrimonial house.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the informant 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 informant, 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 J.M., 1st Class, Munger, in connection with Kharagpur P.S. Case No. 224 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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