

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36387 of 2023

Arising Out of PS. Case No.-237 Year-2020 Thana- KASIMBAZAR District- Munger

AWADHESH SINGH S/O RAM VILAS SINGH R/O Village. Khurhan, PS.
Alam Nagar, Dist. Madhepura

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
 2. DINKY KUMARI W/O AWADHESH SINGH, D/O SHANKAR RAI R/O
Konark Colony, Shastri Nagar, PS. Kasim Bazar, Dist. Munger
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 16-02-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.
2. Learned counsel for the opposite party no. 2, at the
outset, submits that the opposite party no. 2 during the pendency
of the present anticipatory bail application left for her heavenly
abode. It is further submitted that steps would be taken for
substituting the opposite party no. 2 before the learned trial
court.
3. Learned counsel for the petitioner submits that
petitioner is the husband and has been falsely implicated in the
present case. It is further submitted that petitioner was married
to the opposite party no. 2 on 22.06.2014 and the present FIR



came to be instituted in the year 2020. It is next submitted that in between these six years no complaint was ever filed by the opposite party no. 2 or her family member against the petitioner alleging torture for non-fulfillment of the demand of dowry.

4. Learned A.P.P. at this stage submits that cognizance in the case has been taken under Sections 498A and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act. It is thus submitted that the offences for which the instant FIR has been instituted carry punishment of less than seven years to which learned counsel for the petitioner also agrees. Learned A.P.P. thus submits that the anticipatory bail application be disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024 (Naushad Ansari Versus The State of Bihar).

5. In view of the submissions made by the learned A.P.P., the anticipatory bail application is disposed of in terms of the order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024.

6. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case within a period of three weeks from today with a web copy of the aforesaid order and the concerned Superintendent of Police shall ensure that the



Investigating Officer of the case strictly adheres to the direction contained in the said order dated 13.02.2024 in Cr. Misc. No. 3536 of 2024.

(Satyavrat Verma, J)

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