

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43709 of 2023**

Arising Out of PS. Case No.-628 Year-2022 Thana- BANKA District- Banka

=====

PRAFULL KUMAR MANDAL Son of Nawal Kishore Mandal Resident of Village - Parariya, Police Station - Banka, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Prafull Kumar Mandal Resident of Village - Parariya, Police Station - Banka, District - Banka. At present Daughter of Kamdeo Mandal, Resident of Village - Neel Kothi, Police Station - Chandan, District - Banka.

... .. Opposite Party/s

=====

**Appearance :**

|                            |                             |
|----------------------------|-----------------------------|
| For the Petitioner/s :     | Mr.Arjun Prasad, Adv.       |
| For the Opposite Party/s : | Mr.Pramod Kumar Pandey, APP |
|                            | Mr.Ajay Mukherjee, Adv.     |

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      16-01-2024              Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for the O.P. No.2.

2.      The petitioner apprehends his arrest in a case registered under sections 341, 323, 504, 506, 498(A), 379, 34 of the IPC.

3.      Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

4.      It is submitted by learned counsel for the petitioner that petitioner is an innocent person and has committed no offence. Petitioner has never made any dowry demand and has been falsely implicated in the present case due to grudge. It is



submitted that firstly the O.P. No.2 filed a complaint case vide Complaint Case No.1233 of 2018 against the petitioner in same nature of offence, thereafter, she filed Banka (Mahila) P.S. Case No.2 of 2021 against the petitioner, in which, the petitioner was granted anticipatory bail by this Court with condition to pay Rs.3,000/- per month to the O.P. No.2. It is further submitted that the present case has also been filed by the complainant against the petitioner with similar allegation. Petitioner has therefore, two criminal antecedent.

5. Learned counsel for the O.P. No.2 opposed the prayer for bail and submits that the petitioner is not complying the order dated 07.08.2023 passed in Cr. Misc. No.34665 of 2022 by skipping the payment of Rs.3000/- per month.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Banka P.S. Case No.628 of 2022, G.R. No.3107 of 2022, subject to the condition as laid down under Section 438



(2) of the Cr.P.C.

7. Petitioner is directed to strictly comply the order dated  
07.08.2023 passed in Cr. Misc. No. 34665 of 2022.

**(Anjani Kumar Sharan, J)**

pallavi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

