

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46949 of 2023

Arising Out of PS. Case No.-434 Year-2021 Thana- COMPLAINT CASE District- Supaul

PREM KUMAR AKELA S/O VALESHWAR RAM R/O Village- Laxminiya
@ Lachmniya, W.No. 1., P.S- Bihra, Distt.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Budhiya Devi W/O Prem Kumar Akela R/O Village- Mohania, W.No. 12(Wali Tola), P.S and Distt.- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabia Gulnaz, Adv
		Mr. Shabina Talat, Adv
For the Opposite Party/s	:	Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 11-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Complaint Case No. 434C/2021 registered for the offences punishable under Sections 498A, 323, 379/34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have abused and assaulted the complainant and the co-accused Ranju Devi snatched her golden



earrings. Further, when the complainant went to Supaul Market, the petitioner caught her hair and slammed her on the ground and assaulted her with kicks and fists and also snatched cash of Rs. 4,000/- from her.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Learned counsel has further submitted that the marriage of the complainant and the petitioner has never been solemnized but due to ulterior motive and taking undue advantage, she alleged that the petitioner is the husband while he has no concern and connection with the complainant, Budhiya Devi. There is general and omnibus allegation against the petitioner. The petitioner neither demanded any dowry nor tortured the complainant.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner is the husband of the complainant.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Supaul in connection with Complaint Case No. 434C/2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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