

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58497 of 2023

Arising Out of PS. Case No.-1240 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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Anokha Paswan Son of Rama Shish Paswan Resident of Koeli Pokhar, P.S.-
Rampur, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kusum Devi W/o Anokha Paswan D/o Ram Lakhan Paswan Resident of
Village-Mohadeopur, P.S.-Konch, District-Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sheikh Arkan Ahmad, Adv.
For the State	:	Mr. Pushpa Sinha.1, APP
For the O.P. No. 2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 16-05-2024 Despite valid service of notice, no one appears on
behalf of the Opposite Party No. 2.

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. The petitioner apprehends his arrest in connection with
Complaint Case No. 1240 of 2017 registered under Sections
498A of the Indian Penal Code.

4. As per prosecution case, all the named accused persons
including this petitioner tortured and harassed the complainant
for non-fulfillment of demand of dowry.

5. Learned counsel appearing on behalf of the petitioner
submits 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. It is further submitted that



petitioner is ready to keep the complainant/opposite party no. 2, 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**.

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

7. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Complaint Case No. 1240 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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