

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63373 of 2024

Arising Out of Case No.-2048 Year-2022 VAISALI COMPLAINT CASE District- Vaishali

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Ankit kumar Son of Late Mohinder Prasad Yadav Resident of 74 B.C.M. Kinger Garden, Jawaddi Khurd, Basant Vihar, Ludhiana, Punjab, permanent resident of village -Ramgarhia, P.O. -Simraha Bhithahi, P.S. -Madhepura, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari Wife of Ankit Kumar, D/O- Yogendra Prasad Singh Resident of Village- Sherpur, P.S.- Ganga Bridge, P.O. Jadua, Distt.- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.
For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024 Heard Mr. Ajit Kumar Singh, learned counsel for the petitioner and Mr. Nagendra Prasad, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 2048C/ 2022 dated 25.06.2022 registered for the offence(s) punishable under Section(s) 498A, 307, 379, 406, 504 read with section 34 of the Indian Penal Code and section 4 of Dowry Prohibition Act in which cognizance has been taken under section 498A of the IPC and section 4 of Dowry Prohibition Act.

3. The main submissions advanced by learned counsel for the petitioner are that the instant matter is based on a complaint filed by the wife of the petitioner though the



complaint has been filed for several offences under the IPC but the learned trial court has taken cognizance only for the offence under section 498A of the IPC and section 4 of Dowry Prohibition Act and marriage between the petitioner and the complainant took place in the year 2016 and at District Legal Services Authority, Hajipur conciliation meetings were held between the petitioner and his wife and petitioner was fully ready to keep his wife but it was the wife who did not agree to lead conjugal relationship with the petitioner and in this regard, Annexure-2 series is relevant and further, the petitioner filed a petition before the trial court giving the undertaking to keep his wife and children in well manner but even then the petitioner's wife did not agree to live in the company of the petitioner. It is further submitted that the father-in-law of the petitioner is playing the main role in separating the petitioner from his wife and the allegation of physical cruelty made by the informant is completely vague.

4. Mr. Nagendra Prasad, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as the above submissions, this court is inclined to accept the anticipatory bail prayer of the petitioner.



Accordingly, 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 in connection with Complaint Case No. 2048C/ 2022 on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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