

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62288 of 2022

Arising Out of PS. Case No.-148 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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MAHESH BANTAR Son of Fudan Bantar Resident of Village - Amarupi,
P.S.- Lakhnour, District - Madhubani.

... .. Petitioner

Versus

1. The State of Bihar
2. Kanchan Devi Wife of Mahesh Bantar Resident of Village - Amarupi, P.S.-
Lakhnour, District - Madhubani. Presently Residing D/o Sri Gulab Raut,
Resident of village - Marukiya, P.S.- Andhrathadhi, Distt.- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Ms/Mrs. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 22-07-2024 Heard learned counsel for the petitioner and the State.
Despite service of notice, no one appears for opposite party
no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323 and 498A of the
Indian Penal Code and sections 3/4 of the Dowry Prohibition
Act.

3. As per the prosecution case, petitioner was married
with the complainant/ opposite party no.2 in 2016. Soon
thereafter, petitioner along with other family members started
committing torture on opposite party no.2 due to non-
fulfilment of dowry demand. Later on, petitioner left opposite
party no.2 at her parents' house.

4. Learned counsel for the petitioner while denying the
allegations, submits that the petitioner has falsely been
implicated in this case as he is husband of the victim. It is
submitted that during pendency of the case, opposite party



no.2 has contracted marriage with another person, namely, Lalan Bantar S/O Bale Bantar, village Sikariya, Police Station Madhepur, District Madhubani. In this regard, letter no.116 dated 15.12.2021 issued by Mukhia of concerned Gram Panchayat has been annexed as annexure 2 to the bail petition. However, petitioner is ready to keep the victim in matrimonial house with honour and dignity.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani in Jhanjharpur CR No. 148 of 2016, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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