

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71849 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- MAHILA P.S. District- Madhubani

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Ankit Shah @ Ankit Sah @ Sintu S/o- Late Pramod Kumar Shah @ Late Pramod Kumar R/o- Pankaj Market ward no 19, PS- Town Muzaffarpur Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mansi Kumari D/o- Pradip Sahu, W/o- Ankit Shah @ Ankit Sah @ Sintu R/o- Pankaj Market ward no 19, PS- Town Muzaffarpur Dist- Muzaffarpur, P/A- Maharajganj W.No-27, Ps- madhubani Town Dist- Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Santosh Kumar, Advocate.
For the State	:	Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Mahila P.S. Case No. 01 of 2024 dated 03.01.2024 registered for the offences punishable under Sections 341, 323, 506/34, 498(A) of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. As per allegation, the petitioner/husband has subjected the informant/wife to cruelty after marriage on account of non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that in fact, there is matrimonial discord and on account of matrimonial discord, this false case has been lodged against the petitioner. He further submits that the petitioner has already filed a matrimonial case under the Hindu Marriage Act in the Family Court.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has got no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Mahila P.S. Case No. 01 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following



conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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