

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72753 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- RAJAOLI District- Nawada

Onkar Verma @ Onkar Kumar Verma Son Of Shivnandan Prasad R/O
Village- Salempur, P.S.- Rajauli, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Switi Kumari Wife Of Onkar Verma R/O Village- Salempur, P.S.- Rajauli,
District- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjay Prasad, Advocate
For the State	:	Mr. Gauri Shankar Gupta, APP
For the O.P.-2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 19-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of informant/opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a case registered for the offence
punishable under Sections 341, 323, 498(A), 354, 506 and 34
of the Indian Penal Code and Sections 3 / 4 of the Dowry
Prohibition Act.

3. As per the prosecution case, the marriage of
opposite party no. 2 was solemnized with this petitioner in the
year 2013 and from the wedlock, two daughters were born and
thereafter, petitioner along with other family members started
committing torture and harassment to the informant/ opposite



party no. 2 for additional demand of dowry. It is further alleged that husband of the informant solemnized second marriage and informant was ousted from her matrimonial house on 12.03.2022.

4. Learned counsel for the petitioner, while denying the allegations made in the F.I.R., submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the opposite party no. 2. However, he is ready to keep the opposite party no. 2 with honour and dignity. Moreover, the case is triable by the Magistrate. The petitioner has further relied upon the 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*. Petitioner has got clean antecedent.

5. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is allowed. 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/-** (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada in connection with Rajauli P.S. Case No. 170 of 2022, subject to the conditions, as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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