

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79150 of 2023

Arising Out of PS. Case No.-2682 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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AASHISH PRABHAKAR @ ASHISH KUMAR PRABHAKAR @ ASHISH KUMAR SON OF MAHESH PRASAD R/O HOUSE NO.-2A/206, VRINDAWAN COLONY, RAIBARELI ROAD, BEHIND SARDAR PATEL DENTAL COLLEGE, P.S.-P.G.I. (CHAUKI NO.-8), LUCKNOW (UTAR PRADESH)

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRITI KUMARI DAUGHTER OF GANESH THAKUR R/O CHHAPRA COLONY, MOHALLA- NEW AREA JAKKANPUR (MACHHARDANI GALI), NEAR MACHLI GALI, P.S.- JAKKANPUR, DIST.- PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Anis Akhtar
For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 25-06-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 379, 323, 316 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. The learned counsel for the petitioner submits that O.P. No. 2 despite receiving notice chooses not to appear and contest, which amply demonstrates that the contention raised by the petitioner in the anticipatory bail application is not refutable.



It is next submitted that the dispute is matrimonial, but then submits that O.P. No. 2 was married to one Dharmendra Kumar on 01.05.2007 and concealing the said marriage, the O.P. No. 2 married the petitioner in the year 2019 and when the petitioner came to know about the said fact, dispute arose leading to institution of the instant case.

4. The learned counsel for the petitioner relying on *Annexure-2* to the anticipatory bail application submits that O.P. No. 2 had filed H.M.A. Petition No. 1207 of 2019 in the Court of learned Principal Judge, Family Court Patiala House Courts, New Delhi seeking divorce from Dharmendra Kumar and the said divorce case was allowed based on mutual consent by a judgment dated 02.03.2020.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Complaint Case
No. 2682-C of 2021 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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