

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80589 of 2023

Arising Out of PS. Case No.-407 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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Pawan Kumar Son Of Mithilish Singh Resident Of -RAMRAJ Nagar, P.S.-
Aurangabad Town, District- Auraagabad (BIHAR)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Swati Kumari Wife Of Pawan Kumar Resident Of - Ramraj Nagar, P.S.-
Aurangabad Town, District- Auraagabad (BIHAR), Daughter Of Amrendra
Kumar Singh At Present Residing At New Area, Ward No. 11, P.S.
Aurangabad Town, District- Aurangabad (BIHAR)

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Dr. Leelawati Kumari, Advocate
For the State	:	Mr. Pawan Kumar Chaurasia, APP
For the O.P.-2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 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 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), 379, 504, 506,
and 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that marriage of
opposite party no. 2 was solemnized with this petitioner in the
year 2020 and after the marriage, she was harassed and ill-
treated at the hands of her husband (petitioner) and other
family members for dowry and due to non-fulfillment of same,
she was assaulted and ousted from her matrimonial house.



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 is husband of the opposite party no. 2. However, he is ready to keep the opposite party no. 2 with full 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, in the event of arrest or surrender within a period of 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 learned Chief Judicial Magistrate, Aurangabad (Bihar) in connection with Aurangabad Town P.S. Case No. 407 of 2023, 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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