

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82020 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- RAFIGANJ District- Aurangabad

NANDLAL KUMAR Son of Feku Das R/o vill - Kharokhar, P.S. - Rafiganj,
Distt. - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indu Kumari Wife of Nandlal Kumar, D/o Panchu Das Permanent address vill - Kharokhar, P.s - Rafiganj, Distt. - Aurangabad, at present address of vill - Narachai, P.s. - Kasma, Distt.- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pramendra Kumar Singh, Advocate
For the State	:	Ms. Asha Kumari, APP
For Opposite Party No.2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 05-08-2024 Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on behalf of the Opposite Party No. 2.

3. The petitioner apprehends arrest in a case registered for the offences punishable under Sections 498A and 34 of the Indian Penal Code.

4. Allegation against the petitioner is of matrimonial cruelty and of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the informant and present case has been lodged due to petty family dispute. There is general and



omnibus allegation of commission of assault against him. As a matter of fact, the petitioner at no point of time demanded any dowry or committed torture. It is further submitted that petitioner is ready to keep the informant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a 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 claims clean antecedents.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 learned C.J.M., Aurangabad, in connection with Rafiganj P.S. Case No. 239 of 2023, subject to condition as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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