

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81730 of 2023

Arising Out of PS. Case No.-33 Year-2022 Thana- MAHILA PS District- Khagaria

VIKKI YADAV @ VIKKI KUMAR SON OF PANCHU YADAV RESIDENT
OF VILLAGE- SAHEB DIYARA, BODHAN TOLA, P.S.- MUFFASIL,
DISTRICT- MUNGER

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ASMITA DEVI WIFE OF VIKKI YADAV, D/O VIJAY YADAV
RESIDENT OF VILLAGE- DURGAPUR, P.S.- MUFFASIL, DISTRICT-
KHAGARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 12-07-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Khagaria (Mahila) Police Station Case No. 33 of 2022,
dated 21.08.2022, disclosing offences under Sections
498(A)/506/34 of the Indian Penal Code and under
Section 3/4 of Dowry Prohibition Act.
3. The prosecution case, as per the First Information Report,
is that the marriage of the informant was solemnized with
the petitioner in the year 2018. After the marriage the
petitioner, along with other family members, started



demanding dowry and due to non-fulfillment of demand, the petitioner, along with other accused persons, assaulted the informant and ousted her from matrimonial home.

4. Learned Counsel for the petitioner submits that the petitioner is the husband of opposite party no. 2. He next submits that direct allegation for demand of dowry is not against the petitioner and the same is against the co-accused persons. The allegation of assault is general and omnibus in nature and the petitioner is still ready to keep the opposite party no. 2 with all care and dignity as his wife.
5. Despite service of notice upon the opposite party no. 2, no one appears on her behalf.
6. Regards being had to the submission and taking into consideration the general and omnibus nature and generality of allegation and there is no specific allegation of demand of dowry against the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/-



(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Mahila) Police Station Case No. 33 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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