

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85495 of 2023

Arising Out of PS. Case No.-1484 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Manish Deo @ Manish Dev Son Of Suresh Kumar Resident Of Village-
Dubhal, P.S.- Magadh Medical College, District-Gaya

... .. Petitioner

Versus

1. The State Of Bihar
2. Anjani Devi D/O Of Itlesh Singh, Wife Of Manish Devo @ Manish Dev
Resident Of Village/Mohalla- Gulzarbagh, P.S.- Tekari, District- Gaya

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 23-07-2024 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, no one appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under section 498A of the Indian Penal
Code.

3. As per the prosecution case, opposite party no.2 was
married with petitioner about 8 years back and out of wedlock
they have two children. After one year of marriage, petitioner
and his family members started committing torture on opposite
party no.2 due to non-fulfilment of dowry demand.

4. Learned counsel appearing for the petitioner while
denying the allegations, submits that the petitioner has falsely
been implicated in this case because he is husband of the
victim. Opposite party no.2 acts at the dictates of her parents
and go to her parents place at Kolkata without informing the



petitioner and his family members and she never feels comfortable with her husband and in-laws. With respect of such behaviour of opposite party no.2, petitioner’s mother had made complaint before police vide Sanha Entry No. 70 of 2019. Prior to institution of the present case, mother of petitioner had lodged Magadh Medical Police Station Case No. 303 of 2022 against parents side of opposite party no.2. Petitioner is ready to keep the victim in matrimonial house with honour and dignity. It is also submitted that the case is triable by the Magistrate. In this case, reliance is placed on 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**.

5. Considering the aforesaid facts and circumstances of the case, 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/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Gaya in Complaint Case No. 1484 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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