

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3175 of 2024

Arising Out of PS. Case No.-164 Year-2020 Thana- LAKHNAUR District- Madhubani

Ramesh Kumar S/o Kapileshwar Mahto @ Kapleshwar Mahto R/o vill-
Harbhanga, P.S-Lakhnour R.S.O.P, Distt.-Madhubani Petitioner
Versus

1. The State of Bihar
2. Anita Devi W/o Ramesh Kumar R/o vill-Katmakhor, P.S-Lakhnaur R.S.O.P,
Distt.-Madhubani
... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 29-11-2024 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341, 323, 504, 506, 498A
and 34 of the Indian Penal Code.

3. As per the prosecution case, marriage of the
petitioner was solemnised with opposite party no.2 in 2015.
Later on, petitioner along with other family members
committed 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. As a matter of fact, opposite party no.2 has already
performed second marriage and is enjoying marital life. To this
effect, petitioner has also filed Informatory petition no.52 of
2022 in the court below. However, petitioner is ready to keep



the victim in matrimonial house with honour and dignity. 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**.

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 Sub Divisional Judicial Magistrate, Madhubani in Lakhsaur (R.S.O.P.) Police Station Case No. 164 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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