

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2241 of 2024

Arising Out of PS. Case No.-129 Year-2021 Thana- MAHILA P.S. District- Nalanda

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Sunil Kumar @ Vikash Kumar Son of Bishnudeo Ram Resident of Village -
Khirouna, P.O. and P.S.- Rahui, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti D/o Surendra Ram R/o Arout, P.O. Bena, P.S. Bena, Distt. Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Indu Bhushan, Advocate
For the State	:	Mrs.Pronoti Singh, A.P.P.
For the O.P.-2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of complainant/opposite party no. 2.

2. The petitioner, husband of the opposite party no.
2, apprehends his arrest in a complaint case punishable for the
offence under Sections 498-A, 341, 323, 504, 506/34 of the
Indian Penal Code and Section 3 / 4 of the Dowry Prohibition
Act.

3. As per F.I.R., the marriage of opposite party no. 2
was forcibly solemnized with this petitioner in Delhi and after
the marriage, she stayed with her husband only for two days
and thereafter, petitioner along with other family members
demanded Rs. 14 lacs, as dowry, and started committing torture



to her and lastly, on 12.09.2021, the opposite party no. 2 was ousted from her matrimonial house.

4. Learned counsel for the petitioner, while denying the allegations made in the complaint petition, submits that petitioner has been falsely implicated in this case merely because he is husband of the opposite party no. 2. He further submits that due to love-affairs between petitioner and informant, marriage was solemnized and neither they demanded any dowry nor committed any torture to opposite party no. 2. However, petitioner 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 of the case, in the event of arrest or surrender within a period of six weeks from today, let 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 S.D.J.M., Biharsharif, Nalanda in



connection with Mahila P.S. Case No. 129 of 2021, 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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