

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4993 of 2025

Arising Out of PS. Case No.-148 Year-2023 Thana- COMPLAINT CASE District-
Kishanganj

Shibu Lal Singh @ Shibu Kumar Son of Devji Lal Singh Resident of Village-
Bhathu Rani Nayabasti, P.S.- Jiyapokhar, Distt.- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shital Devi Wife of Shibu Lal Singh, D/O- Tika Lal Singh Resident of
Village- Bher Rani, Bhathu Rani Nayabasti, P.S.- Jiyapokhar, Distt.-
Kishanganj, At present D/- Tika Lal Singh, Resident of Village- Gilabari,
P.S.- Jiyapokhar, Distt.- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ram Prawesh Kumar, Adv.
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P.-2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-04-2025 Heard learned counsel for the petitioner and Mr.

Umeshanand Pandit, learned A.P.P. for the State. Despite valid
service of notice, nobody appears on behalf of 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 147, 323, 498-A, 494, 307 of the Indian
Penal Code and Section 3 & 4 of the Dowry Prohibition Act.

3. Allegation against petitioner is of matrimonial
cruelty and demand of dowry.

4. While denying the allegations made in the complaint
petition, learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case merely because he happens to be husband of opposite party no. 2. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2 and is still ready to keep the opposite party no. 2 with full honour and dignity. Moreover, the case is triable by the learned 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, in the event of arrest or surrender within a period of eight 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 learned S.D.J.M., Kishanganj in connection with Complaint Case No. 148 of 2023, 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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