

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21608 of 2023**

Arising Out of PS. Case No.-1212 Year-2013 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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RAJESH KUMAR SAH SON OF LATE TULESHWAR PRASAD SAH
RESIDENT OF VILLAGE - MUNGER KATRIYA, P.S. - MUNGER, DISTT. -
- MUNGER

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. ANAMIKA DEVI WIFE OF RAJESH KUMAR SAH RESIDENT OF
VILLAGE - NADIYA TOLA, P.S. - KAHALGAON, DISTT. -
BHAGALPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the Opposite Party/s : Mr. Sri Kanhaiya Kishore (App 100)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-05-2025 Heard learned counsels for the parties. Despite

valid service of notice , nobody appears on behalf of Opposite

party No. 2.

2. The petitioner apprehends his arrest in a complaint

case registered for the offence punishable under Sections 323,
498A of IPC and section 4 of the Dowry Prohibition Act.

3 . The prosecution case , in brief, is that the marriage

of complainant was solemnized with this petitioner and after
marriage, complainant went to house of her in-laws where , all
the accused persons, including this petitioner, tortured and
harassed daughter of informant for dowry .



4. It is submitted by learned counsel for the petitioner that the petitioner is husband of daughter of informant. Petitioner is innocent and has committed no offence . Petitioner has never tortured or harassed the victim. It is lastly submitted that the case is triable by the Magistrate . In this connection, learned counsel for the petitioner has relied upon the judgment of this Hon'ble 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 claims clean antecedent.

5 . On the other hand, learned A.P.P. for the State vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, clean antecedents of the petitioner and other circumstances of the case , the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate



Bhagalpur in connection with Complaint Case No. 1212 of 2013 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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