

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25770 of 2025

Arising Out of PS. Case No.-3069 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Mukesh Kumar S/o- Shankar Sah Village- Kanchanpur PS-Bidupur Distt-
Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari W/o- Mukesh Kumar, D/o- Ramesh Sah Patel Chawk
mahnar Ps- Mahnar Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Jitendra Narain Sinha, Advocate Ms. Rashmi Sharma, Advocate
For the State	:	Ms. Sucheta Yadav, APP
For Opposite Party No. 2:	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-11-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the complainant/Opposite Party No. 2.

3. The petitioner apprehends his arrest in a complaint
case registered for the offences punishable under Sections 323,
504, 498A, 354 and 34 of the Indian Penal Code and Sections 3
and 4 of the Dowry Prohibition Act.

4. The prosecution case, in nutshell, is that marriage
of the complainant was solemnized with this petitioner as per
Hindu rites and rituals on 02.04.2015. It is alleged that after



marriage, all the accused persons named in the complaint petition, including this petitioner, subjected the complainant to torture and harassment due to non-fulfillment of additional demand of dowry and subsequently, ousted her from her matrimonial house.

5. It is submitted on behalf of petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case merely because happens to be husband of the complainant and present case has been lodged due to petty family dispute. There are general and omnibus allegations. As a matter of fact, the petitioner at no point of time demanded any dowry or committed torture. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon a 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 claims clean antecedents.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of petitioner.

7. Considering the facts and circumstances of the



case, general and omnibus nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, 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 Sub-Divisional Judicial Magistrate, Vaishali, Hajipur in connection with Complaint Case vide C.R. No. 3069 of 2019, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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