

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28046 of 2025

Arising Out of PS. Case No.-3312 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

Subhash Kumar son of Dhurv Sahani VILLAGE-SALEMPUR MALAHITOLA, PS-SIGHAVLIYA DISTRICT-GOPALGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari Wife of Subhash Kumar village- Areraj, Ward no. 11, Ps-Govindganj, Dist- East Champaran Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-07-2025 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 498A of IPC and 3/ 4 of the D. P Act.

3 . The prosecution case , in brief, is that the marriage of informant was solemnized with this petitioner on 13.12.2020 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 informant. Petitioner is innocent and has committed no offence . Petitioner has never tortured or harassed the victim. Petitioner is ready to keep to informant as wife with due respect and dignity in her matrimonial house . 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 SDJM Sadar District East



Champaran Motihari in connection with Complaint Case No.
3312 of 2023 , subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

