

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37012 of 2023**

Arising Out of PS. Case No.-635 Year-2020 Thana- BUXAR COMPLAINT CASE District-  
Buxar

=====

Binod Prasad Viresh Pandit @ Viresh Prasad @ Viresh Kohar Village  
Budhaila P.S -NAWANAGAR, Dist-Buxar

... .. Petitioner

Versus

1. The State Of Bihar
2. Sharda Devi Wife Of Vinod Prasad Daughter Of Rajbali Kumahar, Resident Of Village-Uudhaila, Ps-Mawamagar. Dist-Buxar At Present Villageand Ps-Bagen, Dist-Buxar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      07-05-2025                      Heard learned counsel for the petitioner and the State.  
Despite valid service of notice, nobody appears for opposite party no.2.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 323, 498A, 504, 506, 406 of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.

3. As per the prosecution case, petitioner was married to opposite party no.2 in 2017. After sometime, petitioner and his family members started demanding dowry of Rs.50,000/- and a motorcycle and on non-fulfilment of demand of dowry, accused persons committed torture on opposite party no.2 and ousted her from the matrimonial house.

4. Learned counsel appearing for the petitioner while denying the allegations, submits that the petitioner has falsely been implicated in this case because he is husband of the



victim. Petitioner is ready to keep the victim in matrimonial house with honour and dignity. Learned counsel submits that the case is triable by the Magistrate. Petitioner has relied upon judgment of this Court, passed in 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 of the case as also the judgment of this Court, in the event of arrest or surrender within 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 Chief Judicial Magistrate, Buxar in Complaint Case No. 635C/2020, Comp(P) No. 635/2020, Tr No. 2712 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

Shashi

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

