

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35053 of 2024

Arising Out of PS. Case No.-3166 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Birendra Prasad Kushwaha@ Birendra Prasad son of CHOKAT PRASAD
VILLAGE -KOBYA WARD NO 12 PS-HARSIDHI DISTRICT -EAST
CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. CHINTA KUMARI @ CHINTA DEVI WIFE OF BIRENDRA PRASAD @
BIRENDRA PRASAD KUSHWAHA VILLAGE- LAGUNIYA WARD NO.
13, PS- PAHARPUR, DIST- EAST CHAMPARAN P/A- KOBYA WARD
NO. 12, PS- HARSIDHI, DIST- EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rahul Singh, Adv.
For the State	:	Ms. Renu Kumari, APP.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 06-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A,
323, 313, 406 of the Indian Penal Code and Section ³/₄ of the
Dowry Prohibition Act.

3. Despite valid service of notice to the complainant, she
has not appeared in the present proceedings.

4. Petitioner, who is husband of complainant, is said to
have tortured upon her physically and mentally in association of



his family members over the dowry demand.

5. It is submitted by learned counsel for the petitioner that the allegations levelled against the petitioner are not correct and as a matter of fact, the petitioner had always been ready to keep his wife with due dignity and honour and such submission is further fortified by the statement made in para 11 that a Matrimonial Case No. 473/2022 under Section 9 of the Hindu Marriage Act was filed on 11.11.2022 by the petitioner and the same has also been brought on record by way of Annexure-2. It is further submitted that petitioner will neither abscond nor tamper with the evidence rather will cooperate in the investigation.

6. Learned APP for the State opposes the prayer for anticipatory bail.

7. In view of the above mentioned facts and circumstances, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No. 3166 of 2022,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Soni Shrivastava, J)

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