

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35072 of 2024

Arising Out of PS. Case No.-1867 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Amit Kumar Son of Bishwanath Prasad Resident of Mohalla - Sultanpur, P.S.-
Danapur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dolly Kumari Wife of Amit Kumar Daughter of Lallu Prasad, Resident of
Mohalla - Near Bibiganj City Point, P.S.- Danapur, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr. Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

10 08-05-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Complaint Case No. 1867 (C) of 2019, disclosing
offences under Sections 498(A), 341, 323, 420, 406, 504,
120(B) of the Indian Penal Code.

3. As per the FIR, the marriage of the complainant
was solemnized with the petitioner on 21.11.2009. After the
marriage, the petitioner and other accused persons demanded
Rs. 3 lakhs from the complainant and her family members, and
due to non-fulfillment of the demand, the complainant was
tortured physically and mentally.



4. Learned Counsel for the petitioner submits that petitioner is the husband and has not committed any offense in the manner alleged. He further submits that the marriage was of 2009 and after about 9-10 years of marriage, the present complaint has been filed alleging demand of dowry. Out of the wedlock between the petitioner and the complainant, 3 children were born who are aged about 8, 6 and 3 years. Petitioner is ready to keep the complainant as his wife with full honor and dignity, but the complainant is not willing to stay with the petitioner, which would be evident from the SA of the complainant.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the marriage was solemnized about 10 years back and the offense is triable by the Magistrate, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Judicial Magistrate 1st Class,



Danapur, in connection with Complaint Case No. 1867 (C) of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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