

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32199 of 2025

Arising Out of PS. Case No.-2366 Year-2023 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Shrimanta Ghosh Son of Krishna Ghosh Resident of Village - Rashulpur
(Rosanpur), P.S.- Suti, District - Murshidabad (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari Wife of Shrimanta Ghosh Daughter of Late Kailash Yadav,
Resident of Village - Baghmara, P.S.- Manihari, District - Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 2366 of 2023, for the offence
punishable under Sections 323/498(A) of the Indian Penal Code
read with section 4 of the Dowry Prohibition Act.

3. As per the prosecution, allegation of section 498(A)
of the Indian Penal Code is against the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is regularly paying Rs.5,000/-



(Rupees Five Thousand) as interim maintenance to his wife (O.P. No.2) and litigation is still going on. Counsel submits that the petitioner has never defaulted in payment and petitioner is ready to keep his wife with full honour and dignity, but due to his engagement in the BSF, the same is not possible. Counsel also submits that on previous occasion, this Court has directed for issuance of notice upon O.P. no.2 through registered cover with A/D as well as the ordinary process and granted no coercive steps against the petitioner. O.P. no.2 has appeared through *Vakalatnama*, but today upon repeated call, no one appears on behalf of O.P. no.2. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the present matter pertains to section 498(A) of the Indian Penal Code and the petitioner is a government servant working in BSF and presently posted at Kolkata in West Bengal.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as



mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Sub-Divisional Judicial Magistrate, Katihar, in connection with Complaint Case No. 2366 of 2023, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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