

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37111 of 2025**

Arising Out of PS. Case No.-810 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Dhanraj Malakar S/O Ram Ratan Malakar R/O Vill.- Thatiya, P.s.- Rosera,
Dist.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Kumari D/O Tej Narayan Prasad Saini @ Tej Narayan Prasad R/O Vill.- Chakwa, P.s.- Khodawanpur, Dist.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prabhat
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
in connection with Begusarai Complaint Case No. 810C of 2021
cognizance under Section 498A of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the complainant
mentally and physically due to non-fulfillment of demand of
T.V. and motorcycle as dowry.

4. Learned counsel for the petitioner has submitted
that the petitioner has falsely been implicated in this case. There
is general and omnibus allegation against the petitioner who is



the husband of the complainant. The petitioner neither demanded any dowry nor tortured the complainant. The petitioner has relied upon the judgment of this Court in the case of **"Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182."**

Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023.** The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned,



Begusarai in connection with Begusarai Complaint Case No. 810C of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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