

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36259 of 2025

Arising Out of PS. Case No.-677 Year-2023 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Anil Kumar Malakar Son of Suresh Prasad Malakar Resident of 01 Rupaya Vala Quarter, Dalmiyanagar Chaita Line Chaudhari Chauk, P.S.- Dalmiyanagar, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunaina Kumari Wife of Anil Malakar Daughter of Shiv Bhagat, Resident of Village - Ketaki, P.S.- Deo, District - Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shashank Chandra, Advocate
For the State	:	Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-11-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State. Despite valid service of notice, nobody appears on behalf of opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2, apprehends his arrest in a case registered for the offence under Sections 498-A, 323, 504 and 34 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. Allegation against petitioner is of matrimonial cruelty and demand for dowry.

4. While denying the allegations made in the present petition, learned counsel for the petitioner submits that petitioner has been falsely implicated in this case merely



because he happens to be husband of opposite party no. 2. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2. Moreover, the case is triable by the learned Magistrate. The petitioner has further 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*.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight weeks from today, let the 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 learned J.M. 1st Class, Aurangabad in connection with Complaint Case No. 677-C of 2023, subject to the conditions, as laid down under Section 438(2) of the Cr.P.C. / Section 482 of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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