

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41503 of 2024

Arising Out of PS. Case No.-805 Year-2019 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Prashant Kumar S/o- Ambika Prasad Village- Konika Po- Prasadi English Ps-
Arwal Dist- Arwal

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Nisha Kumari wife of Prashant Kumar, D/o- Yugeswar lal Village- Jankope
Ps- barun Dist- Aurangabad P/A- Misir Bigha Jasoiya Ps- Aurangabad Dist-
Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Ratan Kumar , Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 6 15-01-2025 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 victim, apprehends his arrest in
- a complaint case punishable for the offence under Section
- 498(A) of the Indian Penal Code and 4 of the D. P Act.
- 3 . As per complaint, the daughter of the complainant



was married with this petitioner in the year 2017 and after the marriage , when she went to her matrimonial house , she was subjected to torture and cruelty by this petitioner and other in-laws family members due to non-fulfillment of demand of dowry and lastly, she was ousted from her matrimonial house .

4. Learned counsel for the petitioner, while denying the allegations made in the Complaint, submits that petitioner has been falsely implicated in this case merely because he happens to be husband of the victim. However, he is ready to keep the victim with full honour and dignity. 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*** . Petitioner claims clean antecedent.

5 . Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight weeks from today, let this 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 SDJM Aurangabad in connection with Complaint Case No. 805 of 2019 , subject to the conditions, as laid down



under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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