

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37468 of 2025

Arising Out of PS. Case No.-2731 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Vikash Mandal @ Vikash Kr. Mandal S/O Chhedi Mandal Resident of
Village- Imamnaar Siktiya, P.S.- Azamnagar, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabita Devi W/O Vikash Kumar Mandal, D/O Ghanshayam Mandal R/O
Village- Imamnagar, Siktiya, P.S- Azamnagar, Distt.- Katihar. At present
resident Village- Batheli, P.S- Mufassil, Dist.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Md. Musowir, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, APP
For Opposite Party No. 2:	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends his arrest in a complaint
case registered for the offences punishable under Section 498A
of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

4. The prosecution case, in brief, is that marriage of
complainant was solemnized with this petitioner as per Hindu
rites and rituals on 24.05.2015. It is alleged that after marriage,



all the accused persons named in the complaint petition, including this petitioner, subjected complainant to torture and harassment due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case merely because happens to be husband of the complainant and present case has been lodged due to petty family dispute. There are general and omnibus allegations. As a matter of fact, the petitioner at no point of time demanded any dowry or committed torture. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon a 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 antecedents.

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

7. Considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory



bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, 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 learned S.D.J.M., Katihar in connection with Katihar C.A. Case No. 2731 of 2018, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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