

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43451 of 2025**

Arising Out of PS. Case No.-313 Year-2024 Thana- VAISALI COMPLAINT CASE District-  
Vaishali

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Prashant Kumar son of Brij Nandan Prasad R/o Village- Kartaha Post  
-Kartahan P.S. -Kartaha District -Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Priyanka Prasad Wife of Prashant Kumar R/o Village- Kartaha Post  
-Kartahan P.S. -Kartaha District -Vaishali At P/A- C/O- Ramdyal Prasad,  
Mohall- Chiknauta, Ps- Town Hajipur, Dist- Vaishali

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                   |
|----------------------------|---|-----------------------------------|
| For the Petitioner/s       | : | Mr.Saket Kumar Jha, Adv.          |
| For the informant          | : | Ms. Seema Sinha, Adv.             |
|                            |   | Mr. Satyendra Narayan Singh, Adv. |
| For the Opposite Party/s : |   | Ms.Meena Singh, APP               |

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

ORAL ORDER

3      03-11-2025                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned Additional Public Prosecutor  
for the State.

2. The petitioner is apprehending his arrest in a case in  
connection with Criminal Complaint Case No. 313 of 2024  
registered for the offences punishable u/s 498A of the Indian Penal  
Code and Sections 3/ 4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the co-  
accused persons are alleged to have tortured the informant mentally  
and physically due to non-fulfillment of demand of dowry and  
ousted her from the matrimonial home. It is further alleged that the



accused persons also tried to kill the informant by administering phenyl to her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is the husband of the informant and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant. 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 no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently 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, Hajipur at Vaishali in connection with Criminal Complaint Case No. 313 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :

*(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.*

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)**

Gautam/-

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