

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52278 of 2024

Arising Out of PS. Case No.-1938 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Rohit Kumar Son Of Umesh Vishwakarma Resident Of Purani Jakkanpur
Near Agza, P.S.- Jakkanpur, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dolly Kumari Wife Of Rohit Kumar. D/O- Dayanand Mistry Resident Of
Mohalla- Purani Jakkanpur, (UMESH Mahto Ke Makan Mein), P.S.-
Jakkanpur, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Adv
For the Opposite Party/s : Mr.Manoj Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 19-04-2025 Heard learned counsel for the petitioner, learned
counsel for the State.

2. Petitioner apprehends his arrest in connection with
Complaint Case No. 1938© of 2023 registered for the offences
punishable under Sections 498A of the Indian Penal Code.

3. The petitioner happens to the husband. The present
case is based upon a complaint filed by the opposite party no. 2
on 21.03.2023 wherein the allegations of demand of dowry and
torture has been made against the petitioner and his family
members.

4. Earlier, notices were issued to opposite party no.2
but despite valid service of notice, she has chosen not to appear



in the present proceeding.

5. Learned counsel for the petitioner submits that the allegation made against the petitioner in the complaint is totally false and the petitioner has rather made statement in Paragraph-13 of the petition that he is ready to keep the complainant with full honour and dignity.

6. As a matter of fact, it is the complainant, who does not want to live with the petitioner as the petitioner has no definite source of income. It has also been submitted that the complaint had filed under number of other sections but the cognizance has been taken only under section 498A of the I.P.C.

7. Learned counsel for the petitioner also points out that he has no criminal antecedent but after filing of the present case another case under section 498A of the I.P.C has been filed against him by the father of the complainant/ opposite party no. 2 and the same would be evident from Annexure- 3 which has been brought on record by way of supplementary affidavit.

8. Learned APP for the State oppose the bail application. He states that in other case petitioner has already been granted privilege of anticipatory bail.

9. Considering all the above mentioned facts and circumstances, I am inclined to grant privilege of anticipatory



bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Patna in Complaint Case No. 1938 © of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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