

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48812 of 2023

Arising Out of PS. Case No.-601 Year-2022 Thana- SARAIYA District- Muzaffarpur

Prince Kumar Son Of Sohan Mahto Resident Of Village- Anandpur
Gangoliya, Ps- Saraiya, Dist- Muzaffarpur

... .. Petitioner

Versus

1. The State Of Bihar
2. Sanju Devi Wife Of Prince Kumar Resident Of Village- Anandpur
Gangoliya, Ps- Saraiya, Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-02-2025 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498A/34 of the Indian
Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. As per the prosecution case, opposite party no.2 was
married to one Rajiv Mahto in 2010. After death of said Rajiv
Mahto, the petitioner taking into confidence, solemnized
marriage with opposite party no.2 on 4.6.2021. When opposite
party no.2 came to her sasural with the petitioner, all the
accused persons including the petitioner assaulted her.

4. Learned counsel appearing for the petitioner denies the
allegations. He submits that as a matter of fact opposite party
no.2 was married to cousin brother of the petitioner in 2010
and out of the said wedlock, she has two children. Allegation of
solemnization of marriage of opposite party no.2 with the
petitioner on 4.6.2021 is false and motivated. Moreover,



allegation of marpit is vague and not specific with date and time. Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six 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 Sub Divisional Judicial Magistrate (W) Muzaffarpur in Saraiya Police Station Case No. 601/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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