

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.51802 of 2024

Arising Out of PS. Case No.-77 Year-2021 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

Kishore Kumar @ Kishore Kumar Singh Son of Prem Chandra Singh
Resident of Village - Samhar Khurd, Ward No.- 11, Post and P.S.- Salkhua,
District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari Wife of Kishore Kumar @ Kishore Kumar Singh D/o Lalo Mehta, R/o Naihar Village - Udakishunganj Rambag, Ward No.- 04, P.S.- Udakishunganj, District - Madhepura, And R/o Sasural Village - Samhar Khurd, Ward No.- 11, Post and P.S.- Salkhua, District - Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Ranjan, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-01-2025 Despite valid service of notice, no one appears on
behalf of the Opposite Party No. 2.

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. The petitioner apprehends his arrest in connection with
Complaint Case No. 77 of 2021 offences punishable under
Sections 323, 354-B, 498A of the Indian Penal Code and
Section $\frac{3}{4}$ of the Dowry Prohibition Act.

4. As per complaint case, allegation against the petitioner
is of matrimonial cruelty and demand of dowry.

5. Learned counsel for the petitioner denies the
prosecution case and submits that petitioner is husband of the
complainant and present case has been lodged due to petty
family dispute. Allegation of assault and demand of dowry is



general and omnibus. It is further submitted that petitioner is ready to keep the complainant/opposite party no. 2, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, 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**.

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

7. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Complaint Case No. 77 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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