

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55318 of 2024

Arising Out of PS. Case No.-935 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Pramod Kumar Yadav @ Pramod Rai Son of Ram Babu Rai @ Ram Babu Yadav Resident of Vill- Darjiya Tola, P.S.- Lakhaura, District- East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saheb Rai @ Sahdeo Rai Son of Late Gagan Deo Rai Resident of Vill- Jhitiya, P.S.- Adapur, District- East Champaran, Motihari

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhandev Kumar, Advocate
For the State	:	Mr. Manoj Kumar, APP
For Opposite Party No.2	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 05-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the complainant.

3. The petitioner, husband of the complainant,
apprehends his arrest in a case registered for the offence
punishable under Sections 498A and 34 of the Indian Penal
Code and Sections 3 and 4 of the Dowry Prohibition Act.

4. As per complaint case, allegation against this
petitioner is of matrimonial cruelty and harassment due to non-
fulfillment of demand of dowry.



5. Learned counsel appearing on behalf of the petitioner, while denying the allegations made in the complaint petition, submits that the petitioner has been falsely implicated in this case merely because he is husband of the complainant. At no point of time, petitioner committed any torture or demanded dowry from the complainant. It is further submitted that the petitioner is still ready to keep the complainant at her matrimonial house with honour and dignity. It is further submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon the judgment of this Hon'ble 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 grant of anticipatory bail to the petitioner.

7. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioner 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., East Champaran in connection with Complaint Case No. 935(C) of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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