

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54328 of 2024

Arising Out of PS. Case No.-454 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Mukesh Kumar Sah S/o Baiju Shah R/o vill - Sahwajpur, Harauli Fatehpur,
P.S. - Hajipur Sadar, Distt. - Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Kanchan @ Nitu D/o Dipnarayan Sah R/o Kudhni, P.S - Kudhin,
Distt. - Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhuti Kumar

For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

6 24-03-2025 In pursuance to the earlier order dated 15.02.2025,

both the parties appeared with their respective counsel in

Chambers proceeding.

2. Heard the parties.

3. The petitioner is apprehending his arrest in

connection with Complaint Case No. 454 of 2022 for the

offence under Sections 498A, 323, 504 of the Indian Penal Code

and section 4 of the Dowry Prohibition Act.

4. It is a case of matrimonial dispute between the

parties. Petitioner is the husband of opposite party no. 2

(complainant). Allegation against the petitioner and his family

members is of torturing, assaulting and ousting the complainant



from her matrimonial house due to non-fulfillment of dowry demand.

5. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. Petitioner has never demanded any dowry from the complainant and for that never tortured her rather he is ready to keep his wife with full honour and dignity. He further submits that petitioner is physically disabled, he is unable to walk and is not doing any job or business.

6. Learned Additional Public Prosecutor opposes the prayer of anticipatory bail.

7. During course of argument learned counsel for the petitioner submits that petitioner is ready to keep his wife (opposite party no. 2) with full honour and dignity but she has clearly deposed in S. A. (Para - 4) that she will not go with her husband. Petitioner is fully handicapped.

8. Keeping in view the aforesaid facts and bona-fide stand of the petitioner, this Court is inclined to enlarge the petitioner on anticipatory bail in the event of arrest or surrender within a period of four weeks from the receipt/production of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of



learned S.D.J.M., West, Muzaffarpur in connection with
Complaint Case No. 454 of 2022 subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

prabhakar/-

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