

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53946 of 2024

Arising Out of PS. Case No.-702 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

Ashutosh Kumar son of Tej Narayan Mishra Village- Shiv Mandir Pavitra
Nagar Po- Harnahi Ps- Sheohar Dist- Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari wife of Ashutosh Kumar, D/o- Uday Narayan Jha Village-
Rahika Po Ps- Rahika Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shivjee Singh, Adv. Mr. Mukesh Kumar, Adv.
For the State	:	Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 23-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of opposite party no. 2.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offence under Sections 498-A, 307, 379
of the Indian Penal Code and Section 3 & 4 of the Dowry
Prohibition Act, in which, cognizance has been taken under
Sections 323 & 498-A of the Indian Penal Code.

3. It is a case of matrimonial discord. Allegation is of
demand for dowry and ill treatment.

4. While denying the allegations made in the complaint
petition, learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case merely
because he happens to be husband of opposite party no. 2. By



filing supplementary affidavit, learned counsel for the petitioner submits that during pendency of the case, the dispute between the parties has been resolved and on the basis of settlement, they have decided to dissolve the marriage and to this effect, they filed Matrimonial Case No. 14 of 2022 in the court of learned Principal Judge, Family Court, Madhubani, which was finally disposed of as settled. Photocopy of order dated 20.12.2024 alongwith joint statement of both parties is annexed as Annexure – P/4 to the supplementary affidavit.

5. Considering the same, the prayer for anticipatory bail of petitioner is allowed.

6. Accordingly, in the event of arrest or surrender within a period of eight 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 learned S.D.J.M., Madhubani in connection with C.R. Case No. 702 of 2022, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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