

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56042 of 2024

Arising Out of PS. Case No.-165 Year-2023 Thana- TETERHAT District- Lakhisarai

Dhananjay Kumar @ Dhanjay Kumar son of Upendra Verma Village- Sawan
Khairma, Ps- Tetarhat Dist- lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Kumari W/o- Dhananjay Kumar Village- Sawan Khairma, Ps-
Tetarhat Dist- lakhisarai, P/A- Bichway Ps- Lachuwar Dist- jamui
... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
For the State : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-01-2025 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, husband of the opposite party no. 2,
apprehends his arrest in a case registered for the offence under
Sections 341, 323, 498-A, 34 of the Indian Penal Code and
Section 3 & 4 of the Dowry Prohibition Act.

3. Allegation against petitioner is of matrimonial
cruelty and demand of dowry.

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. He
never demanded any dowry or committed torture with opposite



party no. 2. Learned counsel for the petitioner further submits that prior to the present case, the opposite party no. 2 has filed two more cases against petitioner and others, vide Tetarhat P.S. Case No. 02/2024 and Mahila P.S. Case No. 42/2024 and in both the cases, petitioner is on bail. However, in spite of that, petitioner is ready to keep the opposite party no. 2 with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further relied upon the 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*.

5. Considering the aforesaid facts and circumstances, 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 C.J.M., Lakhisarai in connection with Tetarhat P.S. Case No. 165 of 2023, 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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