

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61701 of 2024**

Arising Out of PS. Case No.-462 Year-2023 Thana- WEST CHAMPARAN COMPLAINT  
District- West Champaran

Abhimanyu Kumar Son of Ramesh Chaudhary Resident of Village- Kali  
Ghat, Ward No- 1, PS- Patkhauli,, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi Wife of Abhimanyu Kumar Resident of Village- Kali Ghat,  
Ward No- 1, PS- Patkhauli,, Distt.- West Champaran

... .. Opposite Party/s

**Appearance :**

|                           |   |                                   |
|---------------------------|---|-----------------------------------|
| For the Petitioner        | : | Mr. Prithvi Nath Mishra, Advocate |
| For the State             | : | Dr. Ajeet Kumar, APP              |
| For Opposite Party No.2 : |   | N o n e                           |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

7      12-02-2025                      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/Opposite Party No. 2.

3. The petitioner apprehends his arrest in a complaint  
case registered for the offence punishable under Sections 323,  
341, 498A and 34 of the Indian Penal Code.

4. The prosecution case, in brief, is that marriage of  
the complainant/Opposite Party No. 2 was solemnized with this  
petitioner on 11.09.2021. It is alleged that after one year of  
marriage, this petitioner demanded one motorcycle and furniture  
as dowry and due to non-fulfillment of demand of dowry, the



complainant was subjected to cruelty and harassment and later on ousted from her matrimonial house.

5. Learned counsel appearing on behalf of the petitioner, while denying the allegations made in the complaint petition, submits that the petitioner is innocent and has committed no offence as alleged in the complaint petition rather he is a victim of the circumstances. As a matter of fact, complainant/Opposite Party No. 2 is not the wife of the petitioner and a fake story has been created by the complainant/Opposite Party No. 2 along with mother and father of this petitioner in order to put pressure and humiliate the petitioner. Petitioner is already married with one Sujata Kumari in the year 2021 and both of them also have two children out of the wedlock and as such, there is no question of solemnization of second marriage with the complainant/Opposite Party No. 2. 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 A.C.J.M.-III, Bagaha, West Champaran in connection with Complaint Case No. 462 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

shashank/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

