

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63329 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- MAHILA PS District- Darbhanga

Pankaj Kumar Son of Arun Kumar Mahto Resident of Mohalla - Khajasarai,
Police Station - Laherisarai, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sugandha Kumari Wife of Pankaj Kumar, D/o. Ravishankar Mahto Resident of Village - Khaja Sarai, Near Fatmi House, P.S. - Laheriasarai, District - Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bajarangi Lal, Adv.
	:	Mr. Ashish Kumar Ghosh, Adv.
For the State	:	Mr. Madan Kumar, APP
For the O.P. No. 2	:	Mr. Ramakant Singh, Adv.

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

6 27-03-2025 Heard learned counsel for the respective parties.

2. The petitioner is apprehending his arrest in connection with Mahila P. S. Case No. 20 of 2024 for the offence under Sections 498A, 323, 313, 379, 506/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

3. It is a case of matrimonial dispute between the parties. Petitioner is the husband of opposite party no. 2 (informant). Allegation against the petitioner and his family members is of torturing, assaulting and ousting the informant from her matrimonial house due to non-fulfillment of dowry demand.



4. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner for dowry demand and torture. Petitioner has never demanded any dowry from the complainant and for that never tortured her. The allegation made in FIR are totally far from the actual state of affairs and same has been made only to harass and humiliate the petitioner and his family members. Lastly he prayed to enlarge the petitioner on anticipatory bail.

5. Learned counsel for the informant as well as learned APP opposes the bail prayer.

6. During course of argument learned counsel for petitioner submits that he has already filed a Matrimonial case vide MTA No. 07 of 2024 before the Principal Judge, Family Court, Darbhanga on the ground of adultery. After filing of matrimonial case, present case has been lodged.

7. Considering the aforesaid facts, this Court is inclined to enlarge the petitioner on anticipatory bail. Let the petitioner be enlarged 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 Chief Judicial Magistrate, Darbhanga in connection with Mahila P. S. Case No. 20 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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