

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64478 of 2024

Arising Out of PS. Case No.-17 Year-2022 Thana- MAHILA P.S District- Supaul

Sadhu Kumar @ Sadhu Mistri S/o- Rameshwar Mistri Village- Gopalpur Sire
W.No-2, Ps- Supaul Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari Wife of Sadhu Kumar @ Sadhu Mistri, D/o- Rameshwar Mistri Village- solahni w.No-16, Ps- Supaul Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ranjay Kumar Singh, Advocate
For the State	:	Mrs. Veena Kumari Jaiswal, APP
For the O.P.2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-01-2025 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 498-A, 341, 323, 504, 506, 494, 379, 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 for dowry.

4. While denying the allegations made in the present 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. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2 and is still 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., Supaul in connection with Supaul Mahila P.S. Case No. 17 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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