

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72840 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- MAHILA P.S. District- Banka

Amit Kumar S/o Saldeo Yadav R/o Village- Barwasini, P.S.- Katoriya,
District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari D/o Naresh Yadav R/o Village- Barwasini, P.O. Barwasini,
P.S.- Katoriya, Dist. Banka

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Praveen Kumar, Advocate
For the State	:	Mr. Pranav Kumar, APP
For Opposite Party No.2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-01-2025 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 informant/Opposite Party No. 2.

3. The petitioner, husband of the informant/Opposite
Party No. 2, apprehends his arrest in a case registered for the
offence punishable under Sections 498A, 323, 506 and 34 of the
Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

4. The prosecution case, in brief, is to the effect that
marriage of informant was solemnized with this petitioner on
15.02.2024. It is alleged that after the marriage, all the accused



persons named in the F.I.R., including this petitioner, assaulted informant and thereafter ousted her from her matrimonial house and demanded Rs. 5,00,000/- cash and one vehicle as dowry.

5. Learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. The F.I.R. has been lodged as a retaliatory measure intended to settle personal scores with the husband (petitioner) and his family members. As a matter of fact, the petitioner is ready to keep the informant/Opposite Party No. 2 at her matrimonial house with honour and dignity. 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 of the case, the prayer for grant of anticipatory bail to the petitioner is allowed.



8. Accordingly, in the event of arrest or surrender within eight weeks from today, let the 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., Banka, in connection with Banka Mahila P.S. Case No. 7 of 2024, 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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