

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67966 of 2025

Arising Out of PS. Case No.-2562 Year-2022 Thana- COMPLAINT CASE District- Araria

Mantu Mallah @ Mantu Kumar Son of Suken Mallah @ Shuken Mallah
Resident of Village - Shokhpura (Shekhpura), Ward No.- 09, P.S.- Jalalgarh,
District - Purnia, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Devi Daughter of Bishun Bahardar Wife of Mantu Mallah @ Mantu Kumar, presently residing at Phattepur (Patatepur), Ward No.- 20, P.S.- Narpatganj, District - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Madhav Jha, Advocate
For the State	:	Mr.Abhay Kumar Roy, APP
For the OP-2	:	None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-12-2025 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 complaint case punishable for the offence under Sections 498-A, 341, 504 of the Indian Penal Code.

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. 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 J.M. 1st Class, Araria in connection with Araria Complaint Case No. 2562 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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