

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75590 of 2024

Arising Out of PS. Case No.-356 Year-2023 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Ritik Kumar son of Anil Kumar @ Anil Singh Village-Majhiawan, Niv Nagar,
P.S-Badem (O.P), District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Wife of Ritik Kumar Village-Majhiawan, Niv Nagar, P.S-Badem (O.P), District- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Adv.

For the Opposite Party/s : Mrs. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard Learned Counsel for the petitioner, Learned

APP for the State and Learned Counsel for the complainant /

O.P. No. 2.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 356 of 2023, registered on 12.04.2023
for the offences punishable under Sections
323/379/312/498(A)/506/504 of the Indian Penal Code, along
with Section 3/4 of the Dowry Prohibition Act. However,
cognizance has been taken only under Section 498(A) of the
IPC and Section 3/4 of the Dowry Prohibition Act against the
petitioner.

3. As per the prosecution, allegations of dowry



demand and torture under Section 498(A) of the IPC have been made against the present petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the alleged forcefully marriage was conducted against the petitioner's will on 20.01.2022. It is also submitted that, to obtain a decree of nullity of marriage, Matrimonial Case No. 245 of 2022 was filed by the petitioner before the Principal Judge, Family Court, Aurangabad on 18.08.2022.

5. Furthermore, Counsel submits that the petitioner's father has also filed a complaint case, i.e., Complaint Case No. 722 of 2022, against the informant and his family members. Counsel further submits that only with a view to create pressure upon the petitioner, the present complaint case No. 356 of 2023 has been lodged. Counsel also submits that the criminal antecedent of the petitioner is clean.

6. Learned Counsel for the complainant / O.P. No.2 vehemently opposes the prayer for bail and submits that the petitioner is not innocent. There is a specific allegation against the petitioner of torture and dowry harassment, due to which the Trial Court has taken cognizance under Section 498(A) of the



IPC along with Section 3/4 of the Dowry Prohibition Act.

7. Learned APP for the State opposes the prayer for bail.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 356 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

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