

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74242 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Sangam Kumar S/O Arjun Singh R/O Village- Nayannagar Banni, Ward No. 9, P.S. Maheshkhunt, Distt. Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Monika Kumari W/O Sangam Kumar, D/O Suresh Kumar At present residing at village- Icharua, P.S.- Alauli, District- Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ranjeet Kumar Singh, Advocate
For the State	:	Mr. Dashrath Mehta, APP
For Opposite Party No.2	:	Mr. Ram Shankar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. As per prosecution case, the complainant was married to this petitioner on 05.06.2019 according to Hindu Rites and Rituals and after marriage, both of them were blessed with three sons. Thereafter, this petitioner, along with other accused persons, started committing torture and harassment for dowry. It is further alleged that on 11.04.2022, this petitioner came to *Maika* of the complainant and demanded a fridge,



motorcycle and share in the land, which was opposed. On 28.01.2023, a *Panchayati* was held but again the complainant was assaulted and ousted from her matrimonial house.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is husband of the complainant/Opposite Party No. 2 and ahs complainant/Opposite Party No. 2 committed no offence. From bare perusal of the complaint petition it is apparent that marriage of the petitioner and the complainant/Opposite Party No. 2 took place in the year 2019 and thereafter both of them were blessed with three children and, therefore, it cannot be believed that the complainant/Opposite Party No. 2 was subjected to harassment or there was any matrimonial discord between the parties. The present F.I.R. has been lodged with ulterior motive, only with a view to harass the petitioner and his family members. It is further submitted that the complainant/Opposite Party No. 2 has also filed a maintenance case before the learned Principal Judge, Family Court, Khagaria, which has been allowed and in compliance of the order, petitioner is already paying Rs. 15,000/- per month to the complainant/Opposite Party No. 2. Petitioner claims clean antecedents.



5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 learned S.D.J.M., Khagaria, in connection with Complaint Case No. 295C of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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