

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78264 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- MANJHI District- Saran

Mithun Mahto S/o Gobardhan Mahto R/o vill - Vritiya Tola, Near Nimiya
tola, Nadi Ke Pas, P.s. - Baniyapur, Distt. - Saran

... .. Petitioner

Versus

1. The State of Bihar
2. Rinku Devi W/o Mithun Mahto, D/o Ram Ratan Mahto R/o vill - Kala
Gurdaha, P.O.- Manjhi, P.S. - manjhi, Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Binod Kumar Sinha, Advocate
For the Opposite Party/s :	Mr.Nitya Nand Tiwary, A.P.P.
	Mr. Awadhesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-02-2025 Heard learned counsel for the petitioner and the
State. Despite valid service of notice, nobody appears for
opposite party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323, 379, 494, 498A of
the Indian Penal Code and Sections 3 & 4 of the Dowry
Prohibition Act.

3. As per the prosecution case, petitioner was married
to opposite party no.2 in the year 2008. After sometime,
petitioner and his family members started committing torture
on opposite party no.2 due to non-fulfilment of dowry demand.
Accused persons ousted opposite party no.2 from the
matrimonial house.

4. Learned counsel appearing for the petitioner while
denying the allegations, submits that the petitioner has falsely
been implicated in this case because he is husband of the
victim. Petitioner is ready to keep the victim in matrimonial



house with honour and dignity. The case is triable by the 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 of the case, in the event of arrest or surrender within six 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 Additional Chief Judicial Magistrate XI, Saran at Chapra in Manjhi Police Station Case No. 110 of 2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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