

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79963 of 2024

Arising Out of PS. Case No.-569 Year-2023 Thana- NAUBATPUR District- Patna

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HANUMAN @ MAHAVIR RAI @ MAHAVIR KUMAR S/o
SURYADAYAL YADAV @ SHEODAYAL RAI RESIDENT OF VILLAGE-
KARANPURA, POLICE STATION-NAUBATPUR, DISTRICT- PATNA.

... .. Petitioner/s

Versus

1. The State of Bihar
2. DOLLY KUMARI W/O Hanuman @ Mahavir Rai, D/o Vishavnath Rai
RESIDENT OF VILLAGE- KARANPURA, POLICE STATION-
NAUBATPUR, DIST- PATNA. AT PRESENT RESIDENT OF VILLAGE-
BAJITPUR, P. S.- MANER, DISTRICT- PATNA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 11-04-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The present application is for grant of anticipatory
bail, in connection with Naubatpur P.S. Case No.569 of 2023 for
offences under Sections 498A (313) and 34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

3. By an earlier order dated 09.12.2024, notices were
issued to OP No. 2, i.e. his wife, whereafter the requisites were
filed and the notices were received by the brother of OP No. 2.
Further, in view of the order dated 29.01.2025, a jointness
petition has also been filed by the learned counsel for the



petitioner.

4. There is a general and ominous allegation of demand of motorcycle and of inflicting cruelty upon the informant. In the last part of the F.I.R., there is a specific allegation on the sister-in-law (gotani) of the informant of having forcibly administering a medicine, which resulted in the death of the child which was in the womb of the informant. Further, there is an allegation of all the accused persons of assaulting her and ousting her from the matrimonial house.

5. Learned counsel for the petitioner submits that the allegations leveled in the F.I.R. are absolutely false and the petitioner is still ready to keep his wife with love, honor and dignity. As stated in paragraph 7 of the petition, it has further been stated that as against the allegation of Section 313 of the I.P.C, the same is specifically against the sister-in-law of the informant. However, as a matter of fact, the informant was not pregnant nor her pregnancy was ever confirmed by any medical document.

6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Considering all the above-mentioned facts and circumstances and also considering that the petitioner is still



ready to keep the informant with all dignity and honor and it is actually the informant, who is not making an appearance in this case and also not ready to stay with the petitioner, let the above named petitioner, in the event of his arrest or surrender before the Court below within four weeks, be released 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., Danapur, in connection with Naubatpur P.S. Case No.569 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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