

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80894 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

Prakash Sharma Son of Moti Sharma Village- Maizara PS- Ben Dist -Nalanda
At P/A- Vivekanand Ward City, Sector-01, Baitul Dist- Madhya Pradesh

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Priya Kumari Wife of Prakash Sharma village- Naman, ps- Silab, dist- Nalanda, At P/A- Vivekanand Ward City, Sector-01, Baitul Dist- Madhya Pradesh Village- Maizara PS- Ben Dist -Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar , Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-03-2025 Heard learned counsels for the parties. Despite valid service of notice , nobody appears on behalf of Opposite party No. 2.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 498A and 34 of IPC and 4 of the D. P Act.

3 . The prosecution case , in brief, is that marriage of the complainant was solemnized with this petitioner in the year 2021 and after marriage, complainant went to her in-laws house . It is alleged that after marriage , all the accused persons, including this petitioner, started demanding dowry and due to non-fulfillment of demand of dowry the complainant was



tortured and ousted from her matrimonial house .

4. It is submitted by learned counsel for the petitioner that the petitioner is husband of complainant/Opposite Party No. 2. Petitioner is innocent and has committed no offence . Petitioner has never tortured the complainant or demanded any dowry. It is lastly submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon the judgment of this Hon'ble Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar***, reported in ***2006(3) PLJR 182***. Petitioner claims clean antecedent.

5. On the other hand, learned A.P.P. for the State vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, clean antecedents of the petitioner and other circumstances of the case , 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 SDJM Nalanda Bihar Sharif
in connection with Complaint Case No. 193 (C) 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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