

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82100 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Nandlal Bind @ Nandlal Kumar Son of Sri Paltu Bind Resident of Village -
Bharkhar, P.S. - Mohania, District - Kaimur (Bhabua)

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Bimla Kumari Wife of Nandlal Bind @ Nandlal Kumar Resident of Village -
Bharkhar, P.S. - Mohania, District - Kaimur (Bhabua). At present Daughter
of Ram Chandra Chaudhary, Resident of Village - Dhanarhi, P.S. - Kudra,
District - Kaimur (Bhabua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr. Manoj Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 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 341 ,
323 , 469, 498A and 34 of IPC and 66 (E) of the Information
Technology (Amendment) Act 2000.

3 . The prosecution case , in brief, is that marriage of
the complainant was solemnized with this petitioner in the year
2021 and after marriage, informant went to her in-laws house .
It is alleged that after marriage , all the accused persons,
including this petitioner, started demanding Rs. 3,00,000/- and



gold chain as dowry and due to non-fulfillment of demand of dowry the informant was tortured and harassed. It is further alleged that on 17.05.2024, all the accused persons levelled false allegation of illicit relationship of informant with other person of the same village due to which informant was forced to be paraded in procession and husband of informant made video of the same and made it viral.

4. It is submitted by learned counsel for the petitioner that the petitioner is husband of informant/Opposite Party No. 2. Petitioner is innocent and has committed no offence. Petitioner has never tortured the informant 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 Mohania District Kaimur (bhabua) in connection with Mahila P S Case No. 35 of 2024 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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