IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 6989 of 2025

XXX **.... Petitioner**

-- Versus --

1. The State of Jharkhand

2. YYY **.... Opposite Parties**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mrs. Pinki Kumari, Advocate

For the State :- Mr. Jitendra Pandey, Advocate

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*03/**09.12.2025*** Heard learned counsel appearing for the petitioner as well as the learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No.1253 of 2022 for the alleged offences registered under Section 498A of Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act, pending in the Court of learned Sub-Divisional Judicial Magistrate, Bermo at Tenughat.

3. Learned counsel appearing for the petitioner submits that the complaint case has been filed against the petitioner and the petitioner happened to be the husband. She further submits that false allegation is made of assault and in view of that learned Court has not taken the cognizance under the relevant sections of injury and the cognizance has been taken only under Section 498A of IPC and Section 3 and 4 of Dowry Prohibition Act. She next submits that the in-laws have been granted anticipatory bail by learned Sessions Judge.

4. Learned counsel appearing for the State opposes the prayer and submits that the petitioner happened to be the husband of the complainant.

5. Considering that the case is arising out of complaint and the petitioner happened to be the husband and the allegation of assault is there, however, the learned Court has not taken cognizance under sections of injury and in that view of the matter the petitioner is directed to surrender before the learned Court within two weeks and the learned Court shall release the petitioner on such terms and conditions or the sureties as the learned Court may deem fit and proper.

(Sanjay Kumar Dwivedi, J.)

Dated 09.12.2025
Sangam/