

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.304 of 2025

Arising Out of PS. Case No.-149 Year-2024 Thana- SILAO District- Nalanda

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Shailesh Kumar S/O Jitendra Prasad R/O Village- Niyamat Nagar, P.O-
Dharhara, P.S- Silao, Distt.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chuchuli Kumari D/O Late Mahendra Prasad R/O Village- Mustafapur, P.S-
Giriyak, Distt.- Nalanda at Biharsharif.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Raj Kishor Prasad, Adv.
For the State	:	Mrs.Sangeeta Sharma, APP
For the O.P.-2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offence under Sections 341, 323, 498-A, 34
of the Indian Penal Code and sections 3, 4 of the Dowry
Prohibition Act.

3. The informant has alleged that her marriage was
solemnized with petitioner on 22.06.2023 at Biharsharif as per
Hindu rites and both parties signed on affidavit regarding the
marriage. It is further alleged that the petitioner later denied the
marriage, assaulted her and demanded Rs. 4 lakhs from her



mother, as dowry, and ultimately, ousted her from the matrimonial house.

4. Learned counsel for the petitioner denies the allegation made in the F.I.R. and submits that petitioner has been falsely implicated in this case merely because he happens to be husband of opposite party no. 2. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2. As a matter of fact, informant was in love with another boy, which was objected by petitioner and as such, informant herself left the house and when to her father's house with all her belongings. Moreover, the case is triable by the learned 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, in the event of arrest or surrender within a period of eight 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 learned Judicial Magistrate 1st Class, Nalanda at Biharsharif in connection with Silao P.S. Case No. 149 of 2024, subject to the



conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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