

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40243 of 2023

Arising Out of PS. Case No.-1959 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Pappu Sah Son of Late Dindayal Sah, Resident of Village- Majhariya Nawka
Tola, P.S- Malahi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjana Devi Wife of Pappu Sah Resident of Village- Majhariya Nawka
Tola, P.S.- Malahi, Dist- East Champaran, presently resident of Village –
Kotwa, P.S. - Paharpur, Dist. - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Ajit Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Ajay Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. C-1959 of 2022 registered for the
offence punishable under Sections 498A/34 of the Indian Penal
Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. The allegation is of demand of dowry of Rs. 2 lacs
and a motorcycle and due to non-fulfillment of the same, the
complainant was subjected to various sorts of torture.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent. The allegation of



demand of dowry and torture is false and fabricated. Petitioner has made specific statement in Para-7 of the bail application that he is ready to live along with the complainant and is also ready to fulfill all her physical and financial needs. He has further submitted that the petitioner is ready to file an affidavit making such statement that he is ready to support the complainant financially and he will fulfill her all physical needs which is required to lead a dignified life.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made by the complainant who is the wife of the petitioner and the fact that the petitioner is ready to live along with her as per her desire at any place where she wishes to live along with the petitioner, petitioner has agreed that he will file an affidavit before the court below swearing in there he will provide the complainant all physical as well as financial needs and keep her with full dignity and honour. If such affidavit is filed within a period of three weeks, petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Complaint Case No. C-1959/2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that no coercive step shall be taken against the petitioner for three weeks from the date of passing of this order to enable him to file affidavit. In case no affidavit is filed within the aforesaid period, this order will automatically loose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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