

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15645 of 2024**

Arising Out of PS. Case No.-239 Year-2022 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Sunil Sah Son of Vishwanath Sah R/o Village- Sidhpur, P.S.- Palanwa, Dist.-  
East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sima Devi D/o Lal Babu Sah R/o Village- Harnahi, P.S.- Raxaul, Dist.- East  
Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar , Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      17-05-2024                      Despite valid service of notice , nobody appears on  
behalf of Opposite No. 2.

2. Petitioner apprehends arrest in a case registered for  
the offence punishable under sections 341 , 498A, 323 and other  
allied sections of the Indian Penal Code and sections 3 & 4 of  
the Dowry Prohibition Act.

3. As per the prosecution case, petitioner along with  
other family members committed torture to the informant  
(victim) due to non-fulfillment of demand of dowry .

4. Learned counsel for the petitioner while denying  
the allegations, submits that the petitioner has falsely been  
implicated in this case because he is husband of the victim.



However, he is ready to keep the victim with full honour and dignity. The case is triable by the 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. Petitioner claims clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six 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 Court of Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Complaint case No. 239 of 2022, subject to the conditions laid down under section 438 of the Code of Criminal Procedure .

**(Prabhat Kumar Singh, J)**

Koushik/Ankit-

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