

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43169 of 2024

Arising Out of PS. Case No.-6037 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Biteshwar Kumar Son of Late Ramanuj Singh Resident of Village - Narbirpur,
P.S.- Chandi, District – Bhojpur. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Wife of Biteshwar Kumar Daughter of Ram Niwash Verma,
Resident of Village - Arap, P.S. - Bikram, District - Patna. At Present
Residing at Village - Bochachak, P.O. and P.S. - Phulwari Sharif, District -
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rabi Bhushan, Advocate
For the O.P. No.2	:	Mr. Shiw Kumar Prabhakar, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned

APP for the State assisted by learned counsel for the opposite

party no.2.

2. The petitioner seeks bail in a case registered for

the offence punishable under Section 498A of the Indian Penal

Code and Section 3/4 of the Dowry Prohibition Act.

3. The petitioner in association with other co-

accused is said to have tortured the opposite party no.2 and

lastly ousted her from the matrimonial home on non-fulfillment

of demand of dowry.

4. Earlier the petitioner had filed an anticipatory

bail application before this Court and by order dated 11.08.2023



passed in Cr.Misc. No.51344 of 2023, the petitioner was granted provisional bail for a period of four weeks and the learned court below was directed to confirm the bail bonds of the petitioner after verifying the fact that complainant is living with the petitioner with full honour and dignity but the complainant/ opposite party no.2 did not ready to live with him and thus the bail bonds of the petitioner was cancelled. Hence, this regular bail application.

5. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has neither tortured the opposite party no.2 nor ousted her from the matrimonial home rather the opposite party no.2 has left the matrimonial home out of her sweet will and lodged this case against him. The petitioner has no criminal antecedent and has been languishing in custody since 29.02.2024.

6. Learned APP for the State assisted by learned counsel for the opposite party no.2 opposed the bail petition.

7. Considering the facts and circumstances of the case and the period of custody, the above named petitioner is



directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No.6037 (C) of 2022.

(Anjani Kumar Sharan, J)

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