

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52776 of 2024

Arising Out of PS. Case No.-975 Year-2020 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Lalan Sah @ Lalan Kumar, aged about 27 years, Male, Son of Late Jhunjhun Sah, Resident of Village and Police Station - Naokothi, District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Devi W/o Lalan Sah @ Lalan Kumar, D/o Late Subodh Sah R/o Village - Harsur, P.S. - Warisnagar, Distt. - Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 23-08-2024 Heard Mr. Dinesh Maharaj, learned counsel

appearing on behalf of the petitioner and Ms. Sharda Kumari,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Samastipur Complaint Case No. 975 of 2020, registered for
the offence punishable under Section 498(A) of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

3. The complainant, who is the wife of the petitioner,
has alleged that the petitioner and his family members, for non
fulfillment of dowry, had tortured and assaulted her and had
ousted her from her matrimonial house.

4. Learned counsel appearing on behalf of the



petitioner submitted that the complainant, as per her own wish, had left the house of the petitioner and with ulterior motive, has implicated the petitioner in a false case. Petitioner has stated in paragraph no. 9 of the bail application that he is trying best to save his conjugal life, however, the complainant is of arrogant behaviour. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that petitioner is ready to reconcile his matrimonial relationship, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Samastipur, in connection with Samastipur Complaint Case No. 975 of 2020, subject to the condition as



laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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