

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58987 of 2024

Arising Out of PS. Case No.-438 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

=====

Birbal Sah Son of Kishore Sah R/O Vill.- Lakshmanpur, P.S.- Arrah
Muffassil, Dist.- Bhojpur, Bihar-802301. Current Address- House number
470, Gola Rana Society, P.S.- Berawal, Dist.- Gir Somnath, Gujrat-362265

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi Wife of Birbal Kumar, Daughter of Baleshwar Sah R/O
Panchwatinagar, P.S.- Bihian, Dist.- Bhojpur, Arrah

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Piyush Kumar Pandey, Adv.
For the State	:	Mr. Sanjay Kumar Sharma, APP.
For the O.P. No.2	:	Mr. Gopal Krishna, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 16-12-2024 Heard learned counsel for the petitioner, learned A.P.P.

for the State as well as learned counsel for the O.P. No. 2, who

has appeared suo motu.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 438C of 2023, instituted for the offence
punishable under Sections 498A and 34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

3. The petitioner, who is husband of opposite party no2.,
is said to have tortured and ousted the opposite party no.2 from
her matrimonial home in association with his family members



over the dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the allegation levelled against the petitioner is false and concocted. The said case has been filed against all the family members including petitioner. It is further submitted that the O.P. No.2 is not ready to leave with the petitioner. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Learned counsel for the O.P. No.2 appeared and submitted that the matter has already been settled outside the Court and she wants to withdraw the present case which has been filed against the petitioner as well as her in-laws.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 438C/2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



S.D.J.M., Bhojpur at Ara, subject to condition as laid down
under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

annpurna/-

U		T	
---	--	---	--

