

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73173 of 2023

Arising Out of PS. Case No.-405 Year-2022 Thana- EKMA District- Saran

DEEPAK KUMAR SAH S/O LATE SHIO LAKHAN SAH R/O VILLAGE-
BHATWALIYA, PS. KOPA, DIST.SARAN

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SEEMA KUMARI W/O DEEAPK KUMAR SAH R/O VILLAGE-
BHATWALIYA, PS. KOPA, DIST. SARAN. NAIHAR-VILLAGE AND
P.O.- NAVTAN TOLE BANKAT PS. EKMA, DIST. SARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avnish Kumar Singh
For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 29-02-2024 Heard the learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Ekma P.S. Case No. 405 of 2022, registered for the offences
punishable under Sections 341, 323, 324, 379, 504, 506, 498A/34 of
the Indian Penal Code.

3. As allegation, the marriage of the informant was
solemnized with the petitioner on 12.12.2015. After marriage, the
petitioner demanded a four wheeler vehicle and Rs. 5 lacs cash as
dowry and on non-fulfillment of dowry demand, the petitioner along
with accused persons started abusing her and thrashed down her to
the ground. Further, co-accused Kewala Devi sprinkled Kerosine oil
on her body, with an intention to kill her.



4. The learned counsel for the petitioner has submitted that the petitioner and his wife who is the informant, are constable in Bihar Police. As a matter of fact, his wife had some relations with one Raju Kumar Gupta. The wife of said Raju Kumar namely Sarita Devi had sent a letter to the Commandant of the Battalion, making allegation that the informant had tried to develop illicit relation with her husband and on that application, an inquiry is going on. As submitted, the matter has become irretrievable due to which the petitioner has filed a case. In support of his submission, he has annexed the letter dated 14.09.2022 sent by the Superintendent of Police, Weaker Section, Patna to the Commandant, Women's Battalion, Sasaram.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the entire allegations levelled by her husband, are false and with ulterior motive.

6. It appears that on the basis of allegation levelled by Sarita Devi that her husband had illicit relation with the informant, the inquiry is going on.

5. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M. 1st, Saran, Chapra in connection with Ekma P.S. Case No. 405 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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