

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79345 of 2024**

Arising Out of PS. Case No.-175 Year-2018 Thana- SAHAR District- Bhojpur

Dipak Sah S/O Deni Sah R/O Vill.- Dumaria P.S- Tarai, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uday Kumar, Adv.  
For the Opposite Party/s : Ms.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      12-11-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Sahar P.S. Case No. 175 of 2018 instituted for the offences under Sections 147, 323, 498A, 406, 504, 506 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. As per prosecution case, the accusation has been made against the accused persons including the petitioner of torturing the Informant physically and mentally as also demanding one lakh rupees by way of dowry. It is also alleged that due to non-fulfillment of the demand, the accused persons ousted the Informant from her house after snatching her *Stree dhan*.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. The petitioner is the husband of the Informant. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has never demanded any dowry from the Informant or her family members. The petitioner has tried his best to pacify the dispute but, the Informant herself denied to continue conjugal life with the petitioner for the reason best known to her. The petitioner has no criminal antecedent and is languishing in judicial custody since 09.07.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner is the husband of the Informant and the offence alleged against him is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Sahar P.S. Case No. 175 of 2018, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

**(Rudra Prakash Mishra, J)**

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