

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4001 of 2024

Arising Out of PS. Case No.-2067 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Pappu Sharma S/O SINOD SHARMA R/O- MANGATPUR, PS.
AZAMNAGAR, DISTT. KATIHAR.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. RUMA DAS W/O PAPPU SHARMA, D/O KHUDIRAM DAS R/O-
TULSIHATA, PS. HARISHCHANDRAPUR, DISTT. MALDA (W.B.)

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Ostate : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 1118-12-2025
1.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2.

Despite valid service of notice, no one appears on behalf of Opposite Party No. 2.
3.

The petitioner apprehends his arrest in connection with Complaint Case No. 2067 of 2017, in which cognizance has been taken for the offence punishable under Section 498-A of the Indian Penal Code.
4.

The allegation, as per the complaint petition, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner around the year 2007 and after sometime, the petitioner and other family members



started demanding Rs. 1,00,000/- by way of dowry and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally, due to which the Opposite Party No. 2 left her matrimonial home and started residing in her parental home. Thereafter, the husband of the complainant filed Matrimonial Case No. 78 of 2017 and on the basis of compromise, the complainant again went to her matrimonial home, but the behaviour of the petitioner did not change and he again started demanding Rs. 1,00,000/- as dowry. Lastly, on 10.05.2017, the complainant, along with her child, was ousted from her matrimonial home.

5. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. He further submits that the petitioner is still ready to keep his wife in her matrimonial home with full honour and dignity, but the complainant did not want to live with the petitioner and she has left her matrimonial home out of her own will. He next submits that the allegation levelled in the complaint petition is general and omnibus in nature.



6. After having heard learned Counsel for the parties and taking into consideration the materials on record, the allegation against the petitioner is general and omnibus in nature, the marriage took place around 2007 and the fact that despite valid service of notice, the complainant chose not to appear before this Court to controvert the submission made on behalf of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Katihar, in connection with Complaint Case No. 2067 of 2017.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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