

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5261 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Sachin Kumar, S/o Bimal Prasad, R/o Mohalla - Rampur, Bagnabad, P.S - Bihar Sharif, District - Nalanda, At Present Residing RZB 120, New Jankipur Bugh Bazar Road, Gali No.06 Back Side, Uttam Nagar, P.S - Dabri, New Delhi

... .. Petitioner

Versus

1. The State of Bihar
2. Simpi Kumari W/o Sachin Kumar, D/o Tapeswari Garain R/o vill - Bagnabad, P.O. and P.S.- Bihar Sharif, Distt.- Nalanda, At present residing at vill and Post- Uttarnawan, P.S.- Rahui, Distt.- Nalanda, Profession - House wife

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Pankaj Kumar, Advocate.
For the State	:	Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Complaint Case No. 244C of 2024, dated 18.03.2024 registered for the offences punishable under Sections 498A, 504, 506, 509, 323, 354B, 379 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. As per allegation, there was demand of additional dowry and on account of non-fulfillment of the same, the complainant/wife was subjected to cruelty by the husband



accused/petitioner. It is also alleged that when the Complainant prohibited the husband/petitioner from any contact with another lady, she was subjected to beating. It is also alleged that there was threat from the petitioner that in case additional dowry is not paid to the petitioner, he will solemnize second marriage with another lady.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the complainant/ wife has lack of trust in the husband/petitioner leading to altercation and lodging of this false case. He further submits that maximum punishment prescribed for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named,



to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Complaint Case No. 244C of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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