

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5281 of 2025

Arising Out of PS. Case No.-669 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Saurabh Sah @ Saurabh Kumar Sah S/O Rabindra Sah Resident Of Village
North Dhamaun, P.S-Patori, Dist- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar
2. Khushboo Kumari W/O Saurabh Sah , D/O Chandeshwar Sah Presently
residing at vill Tilwar Dih, P.S- Tajpur Halai, Dist- Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Mukesh Kumar, Advocate
For the State : Mr. Nitya Nand Tiwary, 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 C.R. Case No.669 of 2023, filed for the
offences punishable under Sections 323, 324, 376, 498(A), 504,
506/34 of the Indian Penal Code and Section 34 of the Dowry
Prohibition Act but learned Magistrate took cognizance under
Section 498(A) of the Indian Penal Code and Section 4 of the
Dowry Prohibition Act.

3. As per allegation, there is demand of additional
dowry and on account of non-fulfillment of the same the
Complainant/Wife was subjected to cruelty by the petitioner and



his family members and ultimately she was ousted from her matrimonial home after snatching her belongings.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no demand of additional dowry. In fact, the informant has left the matrimonial home on her own. He also submits that the 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 Sub-Divisional Judicial Magistrate, Samastipur, in connection with of C.R.Case No.669 of 2023, 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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