

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8374 of 2025

Arising Out of PS. Case No.-160 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Amit Kumar Rai Son of Indarjeet Kumar Rai @ Indrajeet Rai Resident of
Village - Kamarpur, Ward No.4, P.S. - Buxar (Muffasil), District - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mousam Raj Daughter of Murari Kumar Singh @ Wife of Amit Kumar Rai
Resident of Village and Post - Goura, P.S. - Teghra, District - Begusarai and
At present Residing at Santnagar, Ward No.18, Gangjala, Saharsa, P.S. -
Saharsa, District - Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Complaint Case No.
160-C of 2023 dated 15.02.2023 registered for the offences
punishable u/ss 406, 420, 467, 468, 471, 323, 377, 379 and
498A of the Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act.

3. As per the prosecution case, The complainant
submits that her father created an account on the matrimonial
website “Jeevansathi” with the intent of finding a suitable match



for his daughter. In due course, he came across the profile of the accused who had falsely represented therein that he was unmarried and employed as a Sub-Inspector in the police department. Believing the said representation to be true, the complainant's family initiated matrimonial talks. During a roka ceremony, an amount of Rs. 50,000/- was paid to the petitioner. Subsequently, at the time of marriage, a sum of Rs. 18,00,000/- was transferred to the petitioner's bank account and further an amount of Rs. 18,00,000/- was expended towards gifts, jewellery and other customary marriage related expenses totalling Rs. 36,00,000/-. After the marriage, the petitioner kept the complainant at a hotel and later took her to an Asian Hotel in November, 2022. On 20.12.2022, the complainant was confronted by the presence of one Chulbul who identified herself as first wife of the petitioner and disclosed that she was blessed with two children, thereby exposing the concealment of the petitioner of his existing marriage. It is further alleged that the complainant's father immediately brought her back to her parental home at Saharsa and paid the outstanding hotel charges amounting to Rs. 39,700/-. Thereafter, upon being informed of the fraudulent conduct of the petitioner, the complainant's father made several requests to the petitioner and his family members



to return the money spent on the marriage, which they willfully refused. It has further come to the light that the petitioner was never posted as a Sub-Inspector and had deliberately misrepresented his employment status to induce the marriage. By such deliberate concealment of material facts, fraudulent representation, the petitioner and his family members have committed offence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the complainant and he has no concern with the alleged offence. Learned counsel has further submitted that the petitioner did not cheat the complainant and his family members and did not induce the father of the complainant on false fact that he was a police official on the post of Sub-Inspector in Bihar Police. The petitioner neither demanded any dowry nor tortured the complainant. The petitioner is ready to continue the matrimonial relationship with the complainant. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 27.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Complaint Case No. 160-C of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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