

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9962 of 2025

Arising Out of PS. Case No.-1838 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Jay Shankar Sahu @ Jai Shankr Sahu S/O Gopal Sahu R/o - Basantpur, P.S -
Hasanpur, District - Samastipur, Bihar, At Present Resinding At Village -
Mahe, P.S - Singhiya, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nutan Devi W/O Jay Shankar Sahu D/O- Dharmendra Sahu R/o - Basantpur,
P.S - Hasanpur, District - Samastipur, Bihar, At Present Resinding At Village
- Khanpur, P.S - Khanpur, District - Samastipur, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Vinay Kumar Mishra
For the State	:	Mr.Bhanu Pratap Singh
For the OP=2	:	None

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-07-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State. Despite valid service of notice, nobody
appears on behalf of opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a complaint case punishable for the
offence under Section 498-A of the Indian Penal Code and
Section 3 & 4 of the Dowry Prohibition Act.

3. Allegation against petitioner is of matrimonial
cruelty and demand for dowry.

4. While denying the allegations made in the present
petition, learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case merely because he happens to be husband of opposite party no. 2. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2 and is still ready to keep the opposite party no. 2 with full honour and dignity. Moreover, the case is triable by the learned Magistrate. The petitioner has further relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in *2006(3) PLJR 182*.

5. Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of **Rs.10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 3rd Rosera, Samastipur in connection with Complaint Case No. 1838 of 2015 (Tr. No. 903/2023), subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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