

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10226 of 2025**

Arising Out of PS. Case No.-2449 Year-2023 Thana- SIWAN COMPLAINT CASE District- Siwan

Pintu Sah @ Pintu Kumar Sah Son of Bharat Sah Resident of village-  
Dhobwal Bazar, PO- Dhanav, PS- Baniyapur, Distt.- Chhapra (Saran), Bihar

... .. Petitioner

Versus

1. The State of Bihar
2. Jyoti Kumari @ Jyoti Devi Wife of Pintu sah @ Pintu Kumar Sah R/O-  
Dhobwal Bazar, PO- Dhanav, P.S.- Baniyapur, Distt.- Chhapra, Saran. At  
present Add- S/O- Late Rameshwar Prasad, R/O- Moti Chhapar, P.S.-  
Mairwa, Distt.- Siwan

... .. Opposite Parties

**Appearance :**

|                    |   |                              |
|--------------------|---|------------------------------|
| For the Petitioner | : | Mr. Prashant Kumar, Advocate |
| For the State      | : | Mr. Yogendra Kumar, APP      |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      07-03-2025                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Siwan Complaint Case No. 2449 of 2023, registered for the offences punishable under Section 498A of the Indian Penal Code.

3. As per allegation, subsequent to the marriage, there was additional demand of dowry of Rs.1,00,000/- and on account of non-fulfillment of the same, the Complainant/Wife was subjected to torturing by the husband and his family members and ultimately, she along with her minor daughter was



ousted from the matrimonial home.

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 works in a musical concert team and she is not willing to live with the petitioner and she has left her matrimonial home on her own. He further submits that the husband is suffering from mental ailment. He also submits that the maximum punishment prescribed for 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. It appears that the marriage between the parties is not working for the reason best known to the them and it would be better for them to move Civil Court to resolve their matrimonial dispute

9. 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 Judicial Magistrate-Ist Class, Siwan, in connection with Siwan Complaint Case No. 2449 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.)**

Chandan/-

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