

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12802 of 2025

Arising Out of PS. Case No.-15 Year-2023 Thana- MAHILA P.S. District- Sheikhpura

Shashishankar @ Shashishankar Kumar S/o Ishwari Saw R/o Village-
Mallichak, P.S.- Barbiga, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivani Kumari D/o Sri Anil Kumar Gupta R/o Dallu Chowk, Sheikhpura,
P.S. and Dist.- Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 09-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 498(A)/34 I.P.C. & 3/4 D.P.
Act.

3. The prosecution case is to the effect that the
informant was married to one Shashi Shankar (petitioner). It is
further alleged that petitioner in association of his family
members tortured and harassed her due to non-fulfillment of
dowry and also ousted the informant from her matrimonial
house.

4. The learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. He further submits that admittedly petitioner is the husband of the informant. It is next submitted that even from bare perusal of the FIR, it is evident that informant on her own returned to her maike after fifteen days of marriage with her father and the allegation of demand of dowry and torture is completely concocted. The learned counsel for the petitioner submits that the petitioner was granted provisional bail and matter was referred to mediation centre, however, the mediation has failed on account of the adamant stand of the O.P. No.2. It is lastly submitted that petitioner has clean antecedent and is in custody since 24.01.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that petitioner is the husband of the informant and he ousted her from her matrimonial house in association of his family members due to non-fulfillment of dowry and even in mediation he did not agree to her suggestions hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions the provisional bail granted to the petitioner is hereby confirmed subject to the following conditions:-

(i) The petitioner shall remain physically present in



Court on each date of the trial.

(ii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iii) The petitioner shall pay a sum of Rs. 3000/- per month starting from the next month of his release and the said amount shall be deposited in the account of the O.P. No. 2 or the same be deposited before the learned court below, which shall be remitted to the O.P. No.2 personally every month.

(iv) If the learned court below finds that the petitioner has defaulted in making such payment consecutively for three months the bail bond shall be cancelled.

(v) The petitioner shall not be liable to pay the aforesaid amount further, if an amount is directed by a Family Court to be paid to the O.P. No.2 as maintenance.

(Sourendra Pandey, J)

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