

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15275 of 2025

Arising Out of PS. Case No.-1567 Year-2020 Thana- COMPLAINT CASE District- Araria

Khagesh Sah @ Khagesh Kumar Sah S/O Mithelesh Sah Resident of village -
Palsa, Ward no.- 2, P.S.- Kodhobari , District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Devi W/O Khagesh Sah @ Khagesh Kumar Sah D/O Shishu Nath Sah, R/O Kashibari, Ward no.- 9, P.S- Palasi, Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 14-10-2025 Despite the valid service of notice, the opposite party no. 2 did not choose to appear whereas learned counsel for the petitioner as well as learned APP for the State are in appearance.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 1567c of 2020, registered for the offences punishable under Sections 498A, 323, 379 of the IPC and Sections 3/4 of the D.P. Act.

3. It is a case of matrimonial dispute. The complainant is wife of the petitioner. She alleges atrocities by her husband and his family members for non-fulfillment of demand of dowry and ultimately she was ousted from her matrimonial house.

4. The learned counsel for the petitioner has submitted



that the wife of the petitioner had lodged the present complaint petition against him and other family members in the year 2020. After four years, she lodged FIR with similar allegations, i.e., Kodhobari P.S. Case No. 25 of 2024, but in that case, she did not mention her earlier complaint petition (the present case). The petitioner did not receive any summons or notice and the existence of the present case was not within his knowledge.

5. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Araria in connection with Complaint Case No. 1567c of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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