

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16104 of 2025

Arising Out of PS. Case No.-67 Year-2024 Thana- PALANWA District- East Champaran

Deepak Mahto Son of Prahlad Mahto Resident of village -Sukhi Semra, P.S.-
Palanwa, District-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Sabita Devi Daughter of Chokar Mahto, village- Gadh Gamahariya, Ps-
kangali, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-08-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Palanwa P.S. Case No. 67 of 2024 dated 02.05.2024 registered
under Sections 341, 323, 504, 506, 394, 34 of the I.P.C. and
section 3 / 4 of the Dowry Prohibition Act 1961.

3. The allegation against the petitioner based upon F.I.R. is
that the petitioner was married with the opposite party no. 2 in
the year 2015 and after marriage the accused persons started
torturing the informant due to non fulfillment of dowry demand.
It has further been alleged that the petitioner has performed
second marriage.

4. Learned counsel for the petitioner submits that petitioner



has falsely been implicated in this case with oblique motive. The marriage had taken place about 09-10 years back in 2015 and after so many years it does not stand to reason that petitioner will demand dowry. The allegation of performance of second marriage attracts section 494 I.P.C. which is bailable in nature. All other sections are bailable except section 3/4 of the Dowry Prohibition Act.

5. On the other hand, learned counsel for the opposite party no. 2 / informant submits that the matter was referred for compromise before the Mediation Board where petitioner agreed to pay Rs. 2,50,000/- as final settlement amount however subsequently he refused due to which the mediation has failed. The petitioner and his family members demanded dowry and due to non fulfillment of demand the victim - opposite party no. 2 was being tortured mentally and physically.

6. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that marriage has taken place about 09-10 years back and Section 494 I.P.C. is bailable in nature, accordingly, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the



court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Raxaul at Motihari, East Champaran or successor court in connection with Palanwa P.S. Case No. 67 of 2024 subject to the condition as laid down under Section 482 (2) of B.N.S.S. 2023.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

