

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20519 of 2025

Arising Out of PS. Case No.-1150 Year-2023 Thana- COMPLAINT CASE District- Araria

Nitu Giri @ Neetu Giri, S/O Kripanand Giri, R/o Village- Harira, Ward no. 02, P.S.- Kursakanta, Dist.- Araria.

... .. Petitioner

Versus

1. The State of Bihar
2. Neha Kumari, W/o Nitu Giri @ Neetu Giri, D/o Kamlesh Giri, Present Add. Vill.- Khamgaha, P.S.- Tarabari, Dist.- Araria.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Madhav Jha, Advocate
For the State	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Araria Complaint Case No. 1150 of 2023, dated.08.06.2023 filed for the offences punishable under Sections 498A of the Indian Penal Code and Section 3 of the Dowry Prohibition Act. Subsequently, the Magistrate took cognizance under Section 323 and 498A of the Indian Penal Code only.

3. As per allegation, there was demand of additional dowry and on account of non-fulfillment of the same the Complaint/wife has been subjected to cruelty by the



petitioner/husband.

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 marriage is not working and this false case has been lodged. He also submits that the maximum punishment prescribed for the 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. 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 Concerned Court Below, in connection



with Araria Complaint Case No. 1150 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.)

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