

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17122 of 2025

Arising Out of PS. Case No.-905 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Rakesh Sah Son of Om Prakash Sah Resident of Village - Banbirwa, P.S. -
Kotwa, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Antima Kumari Daughter of Ramekbal Sah Resident of Village -
Chandrahiya, P.S. - Muffasil, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Upendra Kumar, APP
For Opposite Party No.2	:	N o n e

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends arrest in a complaint
case registered for the offences punishable under Section 498A
of the Indian Penal Code.

4. The prosecution case, in brief, is that marriage of
complainant was solemnized with this petitioner on 22.02.2023
as per Hindu rites and rituals. It is alleged that after marriage, all
the accused persons, including this petitioner, subjected
complainant to torture and harassment due to non-fulfillment of



demand of dowry.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the complainant and present case has been lodged due to petty family dispute. There is general and omnibus allegations. As a matter of fact, the petitioner at no point of time demanded any dowry or committed torture. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon a judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar***, reported in **2006(3) PLJR 182**. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances of the case and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on 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 2nd Class, Motihari, East Champaran in connection with Complaint Case No. C-905 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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