

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19242 of 2025

Arising Out of PS. Case No.-1222 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Pawan Sah @ Mithilesh Sah Son of Birendra Sah @ Birendra Saw Resident
of Village - Mohkampur, Bishunpur, P.O. and P.S.- Dumariya, District -
Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arti Devi Wife of Pawan Sah @ Mithilesh Sah D/o Shivnarayan Sah,
Resident of Village and P.O.- Mohkampur, P.S.- Koilwar, District - Bhojpur,
At present Ama Mahammadpur, Post - Karisath, P.S.- Udwanatnagar, Dist.-
Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Mira Kumari, Advocate
For the Opposite Party/s : Mr.Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-07-2025 Heard Ms.Mira Kumari, learned counsel for the

petitioner, learned counsel for the complainant and Mr.Rajesh

Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1222(C) of 2023,
registered for the offences punishable under Section 498(A) of
the Indian Penal Code.

3. Allegation against the petitioner and other co-
accused persons is of committing torture upon the victim due to
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition.

5. Pursuant to the direction of this Court, the petitioner has gone to the house of opposite party No.2 on 10.05.2025 to bring back the opposite party No.2 to her matrimonial home but the opposite party No.2 is not ready to live with the petitioner.

6. Learned counsel for petitioner, on instruction, fairly submits that the petitioner is ready to pay Rs.5,000/- per month for maintenance to opposite party No.2 in her bank account till the disposal of the maintenance case, if any, which starts from the month of July, 2025.

7. The bank details of the opposite party No.2/complainant is as follows:

Name:-Arti Kumari. Bank Name:-P.N.B. A/C No.215300170002483. IFSC Code:-PUNB021530.

8. Learned counsel for the complainant and learned APP for the State have opposed the prayer for anticipatory bail of the petitioner.

9. Considering the aforesaid facts, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 S.D.J.M., Bhojpur at Ara in connection with Complaint Case No. 1222(C) of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall pay Rs.5,000/- per month for maintenance to opposite party No.2 in her bank account till the disposal of the maintenance case, if any, which starts from the month of July, 2025. If the petitioner fails to pay the aforesaid maintenance amount to opposite party No.2/complainant, the opposite party No.2/complainant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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