

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20052 of 2025

Arising Out of PS. Case No.-208 Year-2023 Thana- GHANSHYAMPUR District- Darbhanga

Sawan Samrath @ Sawan Samrat @ Rajnish Yadav S/O Bihari Yadav
Resident of Village - Kumhraul, Police Station- Ghanshyampur, District-
Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari D/O Dilip Yadav, W/O Sawan Samrath @ Sawan Samrat @
Rajnish Yadav Resident of Village - Mishrauliya, Police Station-
Ghanshyampur, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shubham Sourav, Advocate
For the State	:	Mr. Syed Mojibur Rahman, 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 Ghanshyampur Town P.S. Case No. 208 of
2023, dated 08.09.2023, registered for the offences punishable
under Sections 498(A), 323, 341 and 34 of Indian Penal Code.

3. As per allegation, the informant is wife of the
petitioner and her marriage with him was solemnized on
17.01.2019 as per Hindu rites and customs and subsequent to
the marriage, additional demand of dowry was started on the
part of the petitioner and on account of non-fulfillment of the
same she has been ousted from the matrimonial home and it is



threatened by the petitioner that in case his demand of additional dowry is not fulfilled he will re-marry.

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, she is not willing to continue the matrimonial life with the petitioner and hence, she left the matrimonial home on her own. 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 antecedent.

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 concerned Court below, in connection with Ghanshyampur Town P.S. Case No. 208 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.)

Ramesh, S.Ali/-

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