

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23744 of 2024

Arising Out of PS. Case No.-678 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Sanjay Yadav @ Dhananjay Kumar @ Sanjay Kumar Son of Ramji Yadav
R/o Village- Bellori, P.S. and Dist.- Lakhisarai Petitioner/s
Versus

1. The State of Bihar Patna
2. Sudha Devi s/o Sanjay yadav Village-Bellori, police station District-
Lakhisarai
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

6 03-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 678 of 2022 for the offence under Sections 341, 323, 498A, 338, 307, 354 and 504 of the I.P.C. lodged on 19.08.2022 by the informant, Sudha Devi.

3. As per the prosecution story, the informant has alleged that her marriage was solemnized with the petitioner according to Hindu rites and rituals twenty years ago. It is also alleged that after marriage, the petitioner started demanding additional dowry and due to non-fulfillment of same she was subjected to torture and assault. It is further alleged that on 13.08.2022, one Pappu Kumar assaulted the informant by means



of brick on the head and one Ranjit kumar tried to outrage her modesty. There is allegation on other family members that they have assaulted the informant for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has not committed any offence. The petitioner has falsely been implicated in this false and fabricated case due to reasons best known to the prosecution party and on the instance of old enmity of the petitioner. This case has been brought only to harass and humiliate the petitioner in false litigation. As per the fardbeyan and other materials it is quite clear that the marriage was solemnized twenty years ago. There are general and omnibus allegations against the petitioner that he along with other co-accused persons assaulted the informant by fist and slaps on account of non-fulfillment of demand of dowry. The doctor concerned who examined the informant has found all injuries sustained by the informant are superficial in nature and caused by hard and blunt substance. Learned counsel further submits that earlier, also a case was filed i.e. Lakhisrai Mahila P.S. Case No. 24 of 2020 dated 09.09.2020 under Sections 341, 323, 498A, 354(B), of the Indian Penal Code in which the case was referred to the



Mediation Centre, Lakhisrai.

5. Learned APP opposes the prayer for bail.

6. Vide order dated 27.11.2021, it appears that amicable settlement was made between the parties on payment of Rs. 6,00,000/- (Six Lakh) as one time settlement by the petitioner in favour of informant and petitioner is still ready to pay but the informant flatly refused to accept any amount. Keeping in view the aforesaid facts and submissions made by learned counsel for both the parties, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisrai, in connection with Lakhisrai P.S. Case No. 678 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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