

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19170 of 2025

Arising Out of PS. Case No.-720 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

=====

Sikandar Sharma @ Sikendra Sharma @ Sikendar Sharma, aged about 34 years, (Male), son of Late Shyam Sundar Sharma, resident of village- Belwara, Ward no. 6, P.S.- Simri Bakhtiyarpur, (OP Kanariya), District- saharσα

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi, aged about 32 years, (Female), Wife of Sikandar Sharma @ Sikendra Sharma @ Sikendar Sharma, and Daughter of Soman Sharma, resident of Village- Bhada, P.S.- Sonbarsa Raj, District- Saharsa

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Sanjay Kumar Jha, learned counsel appearing on behalf of the petitioner and Mr. Khurshid Anwar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Complaint Case No. 720 of 2022, registered for the offence punishable under Sections 498(A), 323, 504, 506 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. Allegation against the petitioner and his family members is to have tortured and assaulted the opposite party no.2 for non-fulfilment of demand of dowry and also ousted her from her matrimonial home.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He submitted that the allegation of demand of dowry is not sustainable, in fact, opposite party no. 2, who is the wife of the petitioner, is not ready to live along with the petitioner and at frivolous allegations, the present complaint petition has been lodged. Petitioner being innocent husband may be released on pre-arrest bail in view of the fact that he has given information in paragraph no. 10 of the bail application that he is ready to keep his wife (opposite party no. 2) with full dignity and honour and he will also fulfill all her desires including her physical, as well as, financial desires.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the aforesaid information given on behalf of the petitioner and having perused the allegations made in the FIR and the evidence on record, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or



surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa, in connection with Complaint Case No. 720 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. This Court expect that the petitioner will honour his commitment and he will resolve his matrimonial discord and will live happily with his wife (opposite party no. 2).

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

