

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21579 of 2025

Arising Out of PS. Case No.-214 Year-2024 Thana- NAWANAGAR District- Buxar

Sunil Kumar Sah @ Sunil Kumar Gupta, Son of Indra Deo Sah Resident of
Village - Anaith (Gorhana Road), P.S.- Nawada, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Kumari, Daughter of Dharendra Kumar Suman, W/o Sunil Kumar Sah,
Resident of Village - Shivpur, P.S.- Nawanagar, District - Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Anil Kumar Singh, Advocate Mr. Nitee Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner,

learned APP for the State and learned counsel for the Informant.

2. The petitioner apprehends his arrest in connection with Nawanagar P.S. Case No. 214 of 2024 dated 18.07.2024, registered for the offences punishable under Sections 115(2), 126, 109, 117, 85, 352, 351(2-4) 3 (5) B.N.S. Act and 3/4 Dowry Prohibition Act.

3. As per allegation, the informant was married with the accused/petitioner on 22.04.2024 according to Hindu rites and customs and soon thereafter demand of dowry started on the part of the petitioner/husband and his family members and on account of non-fulfillment of the same, she was subjected to



cruelty by the petitioner/husband and his family members. It is further alleged that the husband/petitioner has illicit relationship with his *bhabhi*, and on her protest, the husband/petitioner used to subject her to physical and mental cruelty and during night of 31.05.2024 the informant saw his husband/petitioner in compromising condition with his *bhabhi*, due to which, she was bitten by the husband/petitioner and his family members in the night and ultimately, she was thrown away from the roof of the house resulting into breaking up of her backbone. She was taken to hospital next day morning not by the family members but by the neighbors and by that time when she came into consciousness, her father reached her and took her to AIIMS, Patna for better treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that similarly situated co-accused have already been enlarged on bail. He also submits that as a matter of fact, the petitioner has not committed any cruelty to informant/wife and her backbone was broken at her *mayke* but this false case has been lodged against the petitioner and his family members. He further submits that as per allegation, the occurrence has taken place on 31.05.2024 whereas the FIR has



been lodged on 18.07.2024, i.e. after elapsed of two months. He also submits that the informant had gone to orthopedic hospital for treatment after four days of the alleged occurrence.

5. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular one.

6. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State and learned counsel for the Informant vehemently oppose the prayer of the petitioner for anticipatory bail submitting that the Petitioner is husband of the Informant and his case is not on similar footing with that of other co-accused persons who are the family members of the petitioner. He also submits that after suffering from breaking up of backbone, she was unconscious and when she came into consciousness, she was taken to higher hospital for treatment and on account of her treatment as well as the health condition, the Informant could not lodge the FIR in time. He also submits that her backbone is brutally broken and there is iron rod inserted in her backbone.

8. Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on anticipatory bail.



9. Accordingly, the prayer for anticipatory bail of the
petitioner stands rejected.

(Jitendra Kumar, J.)

Ramesh, S.Ali/-

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