

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22704 of 2025

Arising Out of PS. Case No.-905 Year-2010 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Dipak Prasad Sah @ Dipak Kumar Sah S/o Murari Sah R/o Village- Shermari Bazar, P.S- Pirpainti, District- Bhagalpur at present R/o vill - Male Gaon No. 1 Gate, P.S.- Jhalumbahi, Distt.- Guwahati, Komrom Mayurshila Pahar Assam
 2. Murari Sah S/o Late Sita Ram Sah R/o Village- Shermari Bazar, P.S- Pirpainti, District- Bhagalpur at present R/o vill - Male Gaon No. 1 Gate, P.S.- Jhalumbahi, Distt.- Guwahati, Komrom Mayurshila Pahar Assam

... .. Petitioner/s

Versus

1. The State of Bihar
2. Veena Devi W/o Dipak Prasad Sah, D/o Sajjan Sah R/o vill - Shermari Bazar, P.S.- Pirpainti, Distt.- Bhagalpur. At present R/o vill - Mirchaipatti, ward no. 9, P.S. and Distt.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kamal Kumar Sinha, Advocate
For the State	:	Mr. Dashrath Mehta, APP
For the O.P. no.2	:	Mr. Virendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 10-09-2025 1. Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the complainant/opposite party no.2.
2. The petitioners in this application pray for bail apprehending their arrest in connection with Complaint Case no.905 of 2010 registered for the offence punishable under sections 498A, 494, 379 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.
3. As per the prosecution case, the complainant was



married to the petitioner no.1 in the year 2000. It is stated that after the marriage, the accused persons started to physically and mentally tortured the complainant for non-fulfillment of demand of dowry by way of a Hero Honda motorcycle. She was finally assaulted and thrown out of the house.

4. Learned counsel for the petitioners submits that the petitioners who happen to be the husband and father-in-law of the complainant have been falsely implicated in the case. The allegations levelled are false and concocted. The petitioners had gone to earn their livelihood and had settled down in Assam and as such, the delay in moving the application for anticipatory bail. The petitioners have no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the complainant. Learned counsel for the complainant submits that the petitioners herein who happen to be the husband and father-in-law of the complainant are not only named in the complaint but there is direct allegation against them in the complaint lodged in the year 2010. Though cognizance was taken soon thereafter however, the petitioners continued to abscond and have moved this Court for anticipatory bail 15 years after registration of the case and taking of cognizance.



6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR, in a case of the year 2010 wherein though cognizance was taken in the same year, the petitioners moved the learned Court below for anticipatory bail only 14 years later in the year 2024 together with the allegations levelled in the complaint, the Court is not inclined to enlarge the petitioners on anticipatory bail and the application is rejected.

7. The petitioners are directed to surrender in the learned Court below within a period of four weeks.

(Partha Sarthy, J)

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