

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25947 of 2025

Arising Out of PS. Case No.-937 Year-2022 Thana- COMPLAINT CASE District- Araria

Santosh Kumar Sah Son of Krishna Nand Sah Resident of Village -Naya Tola
Ward No 35, Katihar, P S -Katihar, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pushpa Kumari @ Pushpa Devi Daughter of Girja Nand Sah village-Basethi, Ps- Bausi, Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kunwar Ajit Singh, Advocate
For the State	:	Mr. Sanjay Kumar, APP
For the O.P. No. 2	:	Mr. Madhav Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the O.P. No. 2.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 937(C) of 2022, dated
21.05.2022, filed for the offences punishable under Section
498A/34 of the Indian Penal Code.

3. As per allegation, subsequent to the marriage,
additional demand of dowry started and on account of non-
fulfillment of the same, she has been ousted from the
matrimonial home and husband-petitioner has threatened to re-
marry with another girl.

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, no valid marriage has been solemnized and the complainant-wife has never joined the matrimonial home and nor is any conjugal life between the parties at any point of time. He further submits that this false case has been filed for putting pressure to recognize the marriage.

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 and learned counsel for the O.P. No. 2 vehemently oppose 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 learned concerned Court Below, in connection with Complaint Case No. 937(C) of 2022, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 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.)

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