

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25215 of 2025

Arising Out of PS. Case No.-238 Year-2024 Thana- COMPLAINT CASE - RAXAUL AT
MOTIHARI District- East Champaran

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Jag Kumar @ Jag Sah S/o Late Bhagwan Sah Resident of village - Chiljhapati
P.S.- Sugauli District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sandhya Devi D/o Ram Niwas Sah, W/o Jag Kumar @ Jag Sah R/o vill -
Chiljhapati, P.S.- Sugauli, Distt.- East Champaran, Presently residing at vill -
Kalwari Majhariya, P.S.- Adapur, Distt.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Binod Kumar No.3, APP
For the O.P.	:	Mr. Abhishek Kumar, Advocate
		Mr. Sharad Kumar Verma, Advocate
		Mr. Sagar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 01-08-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection
with Trial No. 2580 of 2024 arising out of Complaint Case No.
238 of 2024 instituted under Sections 313, 328, 342, 406, 498A
of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

3. As per the prosecution story, the informant alleged
that she was married to the petitioner in the year 2022 but for
demand of dowry, she was ousted, a Panchayati took place but
as they started abusing, the Complaint case.



4. In this case, notice was issued on 07.05.2025 on the undertaking given by the petitioner in the affidavit that he shall be keeping his wife with full dignity and honour.

5. Pursuant thereto, though the informant has appeared through her counsel, despite the order passed on 04.07.2025 directing the couple to remain present, the husband is present but wife has absented.

6. Learned counsel for the petitioner repeats what has been recorded in the affidavit that he is ready to keep his wife with full dignity and honour and shall also be giving him financial support/help as her pocket money. Whether she on her own comes to the in-laws house or request him to come to her place to take her away, in both the conditions, he shall be doing the needful.

7. Learned counsel for the informant submits that though the lady has not come, if the petitioner is ready to keep her with full dignity and honour and is also ready to give her financial support, he has no objection to him granted relief.

8. Considering the submissions of the parties as also the undertaking that has been recorded above, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner be released on bail, in the event



of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Trial No. 2580 of 2024 arising out of Complaint Case No. 238 of 2024 to the satisfaction of learned S.D.J.M., Raxaul at Motihari, East Champaran or Successor Court subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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