

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28606 of 2025

Arising Out of PS. Case No.-1203 Year-2023 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Shashi Kumar S/O Girijesh Thakur @ Girajesh Thakur R/O Vill.- Sohraiya,
P.S.- Paras Bigha, Dist.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raja Ram Thakur S/O Late Parmeshwar Thakur R/O Vill.- Bankipur
Machhariawa, P.S.- Fatuha, Dist.- Patna.
3. Moni Kumari D/o Raja Ram Kumar R/o Village- Bankipur, Machchhariawa,
P.S.- Fatuha, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Singh, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP
For the Complainant	:	Mr. Premchandra Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 03-09-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 1203 of 2023 for the offence
registered under Sections 498(A) of the IPC read with Section 3/4
of the D.P. Act lodged by the complainant Moni Kumari.

3. As per the prosecution story, the complainant
alleged that the marriage took place in the year 2019, but was
tortured for dowry. As she failed to fulfill it, on 02.08.2020, she
was pushed towards the stove causing injury on her waist. This
followed the complaint as the police failed to lodge the FIR.



4. Earlier, as notice was issued to the complainant, Moni Kumari, D/O- Raja Ram Kumar R/o Village- Bankipur, Machchhariawa, P.S.- Fatuha, Patna and she is present in the Court along with her counsel. She has narrated her ordeal but submits that as the couple is blessed with a child, she is ready to take another journey of marital life.

5. Learned counsel for the petitioner by way of supplementary affidavit submits that he being an employee of Employee State Insurance Corporation Model Hospital, Ludhiana, serving as an Assistant, is duty bound to keep his wife and the child with full dignity and honour and shall ensure that in future, no complaint is made.

6. Learned counsel for the complainant, on the other hand, submits that though, she is ready to move ahead, she is apprehensive of the violent attitude of the petitioner.

7. As the petitioner has shown his desire to continue the marital status, this Court is of the opinion that a chance be given to him, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to the fact that on the day, he shall be executing his bail bond, the lady, Moni Kumari whose Aadhar No. is xxxx xxxx 3856 shall be present and the Court shall enquire about the treatment she has received



only after which his bail bond shall be accepted.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna City, Patna in connection with Complaint Case No. 1203 of 2023 subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show is *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 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;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

9. The anticipatory bail application stands disposed of
with the aforesaid order.

(Rajiv Roy, J)

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