

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32771 of 2025

Arising Out of PS. Case No.-505 Year-2024 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Neeraj Poddar @ Neeraj Kumar @ Niraj Poddar S/o Chandeshwari Poddar,
R/o Mohalla- Shivpuri, Ward No. 05, P.S.- Saharsa, District- Saharsa.

... .. Petitioner

Versus

1. The State of Bihar.
2. Rupa Devi W/o Neeraj Poddar, D/o Subodh Poddar, R/o Village- Sirrahi,
P.S.- Sonbarsa Raj, District- Saharsa.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Singh, Advocate
For the State	:	Mr. Ramchandra Sahni, APP
For the O.P. No.:	:	None.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 04-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Nobody appears on behalf of the Opposite Party
No. 2 despite valid service of notice.

3. The petitioner seeks bail, apprehending his arrest,
in connection with Saharsa Complaint Case No. 505(c) / 2024, in
which cognizance has been taken under Sections 323, 326, 341,
498(A) and 34 of the Indian Penal Code and under Section 3/4 of
Dowry Prohibition Act.

4. As per allegation, after the marriage in the year
2023, the complainant-wife joined the maternal home of the
petitioner-husband and she was treated properly for one and a half



month, and thereafter, on account of non-fulfillment of additional demand of dowry, she was subjected to cruelty in various ways.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that on account of normal wear and tear of married life, marriage is not working, and hence, the complainant has filed this false case with an intention to harass the petitioner-husband. He also submits that maximum punishment prescribed for the alleged offence is three years and in the light of case of **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273.**, the petitioner is entitled to get anticipatory bail.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved before this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

8. However, learned A.P.P. for the State vehemently opposes the prayer of the petitioner for bail.

9. 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/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with **Saharsa Complaint Case No. 505(c) / 2024**, 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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