

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32362 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- MAHILA P.S. District- Banka

Sanjit Singh S/o Munna Singh Resident of Village- Babudih, P.o - Kharhara,
P.S.- Barahat, Distt.- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Devi W/o Sanjit Singh, D/o Shankar singh R/o vill - Babudih, P.O.- Kharhara, P.S.- Barahat, Distt.- Banka, at present R/o vill - Baburaydih, P.O.- Chutiya, P.S. and Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. It transpires from the record that notices have been issued to O.P. no.2 *vide* order dated 19.05.2025 under both process. From the office notes, it transpires to this Court that ordinary notice has been personally received by O.P. no.2, whereas, registered post has been returned undelivered. This Court treats it as valid service.

3. The petitioner is apprehending arrest in connection with Mahila P.S. Case No. 7 of 2025 lodged on 08.02.2025, for the offence punishable under Sections 85, 115(2), 351(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 3 & 4 of



the Dowry Prohibition Act.

4. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. It has been alleged in the FIR that even after *panchayati*, the husband (petitioner) is not ready to keep his wife (informant) and it is due to this reason, the present case has been filed as the family members of the petitioner used to torture and demand money from the informant. It has also been alleged that the petitioner has entered into second marriage without informing the informant.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the specific stand has been taken by the petitioner in paragraph nos.7 & 8 of the bail application that he is always ready to keep his wife and children with full dignity and love and also co-operate her conjugal life. Counsel submits that the allegation of second marriage is totally false and petitioner has never entered into marriage with other woman. Counsel further submits that the petitioner has no criminal antecedent.

6. Learned APP for the State opposes the prayer for bail of the petitioner but submits that if the petitioner is willing to keep his wife and children with full dignity and affection,



then his bail application may be considered.

7. Considering the submissions made in paragraph nos.7, 8 & 9 of the bail application and due to non-appearance of O.P. no.2 even after service, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of S.D.J.M., Banka, in connection with Mahila P.S. Case No. 7 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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