

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45186 of 2023

Arising Out of PS. Case No.-696 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Rajesh Kumar Sah Son Of Baijnath Sah Resident Of Village - Bhagwanpur,
Chakshekhu, Ward No. 4, P.S. - Dalsingsarai, Distt. - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Devi D/o Late Vishwnath Sah R/o vill - Karim Nagar, ward no. 8,
Panchayat Raj Karim Nagar, P.S. - Mohiudden Nagar, Distt. - Samastipur
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Despite service of notice to the opposite party
no. 2, she has not appeared in the present proceedings.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 494, 498A
of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

3. Petitioner is the husband of opposite party no.2. The
prosecution case is based upon a complaint filed by the
opposite party no. 2 in which she has made an allegation of
demand of dowry and torture and also of the fact that the
petitioner has remarried.

4. Learned counsel for the petitioner submits that the



allegations made in the complaint petition are not correct and as a matter of fact, the marriage between the parties had taken place in the year 2013 as accepted by the complainant in her complaint petition also and hence, there is no occasion to demand any dowry after lapse of so many years of the marriage. It has further been submitted that as a matter of fact, the opposite party no. 2 has performed a second marriage after leaving the house of the petitioner on 10.03.2022 with another person and the said fact is substantiated by way of complaint case which was filed by the petitioner bearing Complaint Case No. 97 of 2022 and the same has been brought on record by way of Annexure-2 to the present application.

5. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no. 2.

6. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Samastipur in connection with Complaint Case C.R. No. 696 of 2022, subject to the condition as laid down under Section 438 (2) of the



Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

