

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35375 of 2025

Arising Out of PS. Case No.-210 Year-2023 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Sandeep Kumar Mahto S/o Ram Bilas Mahto R/o vill - Saini (Dih Tol), P.S. -
Phulparas, Distt.- Madhubani Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi @ Rinku Kumari W/o Sandeep Kumar Mahto R/o vill - Saini
(Dih Tol), P.S.- Phulparas, Distt.- Madhubani, Present Address D/o
Bindeshwar Mahto, R/o vill - Udhava, P.s.- Lalukaha, Distt.- Madhubani
... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate
For the State : Mr. Parmanand Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with C.R. No. 210 of 2023, dated 27.04.2023,
filed for the offences punishable under Sections 323, 341, 379,
427, 436, 504, 506 and 498(A)/34 of the Indian Penal Code and
Section ¾ of D.P. Act.

3. As per allegation, after the marriage, there was
illegal demand of additional dowry and on account of non-
fulfillment of the same, she was subjected to cruelty by the
petitioner-husband and his family members. It is further alleged
that the petitioner-husband has illicit relationship with his
bhabhi-Babita Devi.

4. Ld. counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, there is suspicion on the part of the complainant that petitioner is having illicit relationship with his bhabhi and hence, marriage is not working and the false case has been filed by the complainant against the petitioner. He also submits that petitioner has not ousted complainant-wife from the matrimonial home but as a matter of fact she herself left the matrimonial home and she has even re-married with someone else, whose name is Ram Binay Mahto. In support of the claim of re-marriage of the complainant, the petitioner has also annexed photo copy of the certificate issued by the local Mukhiya to the effect that the complainant has married Ram Binay Mahto on 01.05.2024. He further submits that the maximum punishment prescribed for the alleged offence is three years.

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

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

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.



8. 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with C.R. No. 210 of 2023, subject to the conditions as laid down under Section 482 (2) 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.)

ravishankar/-

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

