

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38235 of 2025

Arising Out of PS. Case No.-79 Year-2024 Thana- MAHILA PS District- Buxar

Rohan Rai S/O Rajendra Rai @ Rajendra Prasad Rai R/O Village- Sukhdehra,
P.S- bhawarkole, Distt.- Gazipur (U.P). At present R/O B-1206 Arbit city
Tilmapur (Ashapur) P.S. Sarmath DBT, Varanasi (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushoo Kumari D/O Ramyash Pandey R/O Adarsh Nagar, Ward No. 11,
Buxar, P.S- Buxar Town, Distt.- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-09-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the O.P. No. 2, Mr. Arun Kumar Gupta.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 379,
498A, 504, 506 and 34 of the Indian Penal Code read with
Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that
petitioner, during the course of investigation, was given notice
under Section 41A of the Cr.P.C. and the petitioner cooperated
in the investigation, but the police never felt the need of
arresting the petitioner, but charge sheet came to be submitted



based on which cognizance was taken, as such, petitioner apprehends his arrest. It is next submitted that when police, during the course of investigation, never felt the need of arresting the petitioner whether it would be prudent for the Court to send the petitioner to jail after filing of the charge sheet. It is next submitted that the dispute is matrimonial and petitioner, being husband, has been falsely implicated in the present case. It is further submitted that petitioner is willing to keep the O.P. No. 2 with honour and dignity.

4. On query of the Court from the learned counsel appearing on behalf of the O.P. No. 2 that as to whether O.P. No. 2 intends to restitute her conjugal rights, on which the learned counsel appearing on behalf of the O.P. No. 2 based on instruction submits that he has instructions to make submission that O.P. No. 2 is not willing to accompany the petitioner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Buxar Mahila P.S. Case No. 79 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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