

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38261 of 2025

Arising Out of PS. Case No.-1109 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Sanni Kumar @ Sunny Kumar S/o- Manoj Kumar Singh R/O- Bihat
Masnadpur Ward no. 11, P.S.- Barauni, Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari W/o- Sanni Kumar, D/o- Raviranjana Singh Village- Miralipur
W.No-13, Ps- Ballia Dist- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the Complainant	:	Mr. Sandeep Kumar Gautam, Advocate
For the Opposite Party/s	:	Ms. Sahin Pravin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2025 Heard Mr. Shashank Shekhar, learned counsel for

the petitioner, Mr. Sandeep Kumar Gautam, learned counsel for

the Complainant and Ms. Sahin Pravin, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1109 of 2024 for the
offences punishable under Sections 498(A) of the Indian Penal
Code.

3. As per the Complaint Petition, the complainant
alleged that she was subjected to torture and harassment and
ousted from her matrimonial home by the petitioner and other
accused persons due to non-fulfillment of demand of dowry.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis that he is the husband of the complainant. From bare perusal of the Complaint Petition, it appears that the allegation as alleged in the Complaint Petition is false and fabricated and the petitioner has not committed any offences as alleged in the Complaint Petition. Infact the petitioner has filed a Matrimonial Case No. 44 of 2024 under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights on 28.05.2024 and when the complainant came to know about the Matrimonial Case No. 44 of 2024, she has filed the present Complaint Petition in order to pressurize and harass the petitioner. He further submits that the complainant has also filed a maintenance case bearing Maintenance Case No.108 of 2024 which is pending for consideration before the competent Court of law. He further submits that due to complainant's continued torturous behavior, the petitioner decided to withdraw Matrimonial Case No. 44 of 2024 and filed a divorce petition bearing Matrimonial Case No.83 of 2025 on 19.05.2025.

5. The learned Additional Public Prosecutor and learned counsel for the Complainant have vehemently opposed



the prayer for bail of the petitioner and submits that petitioner is husband of the complainant and apart from that from bare perusal of the impugned order, it suggest that the petitioner has refused to keep the complainant as his wife. Learned counsel for the Complainant submits that this Court may direct the petitioner to pay some maintenance amount to the Complainant.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Ballia, Begusarai in connection with Complaint Case No. 1109 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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