

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42747 of 2024

Arising Out of PS. Case No.-852 Year-2018 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Suraj Kumar Son Of Baishakhi Sah Village- Fulbaria, Ward No.-9, P.S.-
Beldaur, Distt.- Khagaria (BIHAR)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kari Kumar @ Kajal Kumari D/O- Chandan Sah, W/O- Suraj Kumar
Village- Fulbaria, P.S.- Beldau, Distt.- Khagaria (BIHAR)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Asha Devi

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

9 30-04-2025 Heard learned counsel for the petitioner and learned APP
for the State. Despite valid 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 Section 498A of the
Indian Penal Code and Section 3 and 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.

4. Learned counsel for the petitioner submits that the
allegations made in the compliant are totally false and as a



matter of fact, the petitioner has always been ready to keep his wife with full dignity and honour but it is the complainant/opposite party no. 2 who is unable to adjust with the life style of the petitioner. It has been further submitted that the opposite party no. 2 had earlier also left the matrimonial house and Beldaur police had recovered the complainant and handed her over to the petitioner. It has also been submitted by the learned counsel for the petitioner and also statement has been made in the petition that the opposite party no. 2 has now been married to somebody else and she has two children from her wedlock also.

5. The application has been opposed by the learned APP for the State.

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 Sub Divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 852(C) of 2018, 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/-

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