

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38909 of 2025

Arising Out of PS. Case No.-3676 Year-2022 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Rajababu Son of Sanjeev Singh @ Sanjeev Kumar Singh Resident of village-
Akhtiyarpur, P.O.- Bhan Borahan, P.S.-Mahua, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar
2. Abhilasha Rathor Wife of Rajababu Resident of village- Akhtiyarpur, P.O.-
Bhan Borahan, P.S.- Mahua, District-Vaishali, Daughter of Indrajeet Singh,
Naihari address- village- Vishunpur Taraura, P.O.-Bhagwatpur, P.S.- Mahua,
District- Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Bela Singh, Advocate
For the State	:	Mr. Pradeep Narain Kumar
For the O.P. No.2	:	Mr. Manish Chandra Gandhi, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Vaishali Complaint Case No.3676 of 2022,
filed for the offences punishable under Sections 498A of the
Indian Penal Code.

3. As per allegation, the Complainant was married to
the Petitioner in the year 2021 and subsequent to the marriage,
she joined the matrimonial home of the Petitioner but soon
thereafter, additional demand of dowry of Rs. 5,00,000/- started
on the part of the Petitioner and his family members and on



account of non-fulfillment of the same, the Complainant was subjected to torture in various ways even after pregnancy and that is the reason the Complainant has given birth to a dead child.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no truth in the allegation and on account of normal wear and tear of married life, marriage is running into rough weather. Moreover, there is also no truth in regard to miscarriage of the Complainant and no proof has been given along with the complaint showing that there was any miscarriage of the Complainant, and hence, learned Magistrate has taken cognizance of offence punishable only under Section 498A of the Indian Penal Code.

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 antecedents.

7. However, learned APP for the State as well as learned counsel for the Informant vehemently oppose the prayer of the Petitioner for bail submitting that the Petitioner is



husband and he committed cruelty against the Complainant/wife and he does not deserve anticipatory bail.

8. Considering the absence of any documentary proof of the allegation of miscarriage of the Complainant, **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 Vaishali Complaint Case No.3676 of 2022, subject to the conditions as laid down under Section 482 (2) of the 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)

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