

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44669 of 2025

Arising Out of PS. Case No.-297 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Mithun Sanyal Son of Shaktipad Sanyal @ K.P.G. Sarkar Village- Thakurbari,
Ram Nagar, PS- Ramnagar District -West Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Parvati Devi Wife of Mithun Sanyal Village- Thakurbari, Ram Nagar, PS-
Ramnagar District -West Champaran At P/A- Village- Harpurwa, Ps-
Yogapatti, Dist- West Champaran

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No.297C of 2019, filed for
the offences punishable under Sections 498A, 341, 323 IPC 3/4
of the Dowry Prohibition Act and Cognizance of the offence
punishable under Section 323, 504, 494, 498A of the Indian
Penal Code has been taken by learned Magistrate.

3. As per the Complaint, subsequent to marriage,
additional demand of dowry 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 cruelty by the accused
persons.



4. Learned 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, after marriage he helped the Complainant/Wife in getting education and ultimately she became a Government Teacher and started teaching in the district West Champaran. However, now she herself has deserted him. He further submits that the whole allegation of demand of dowry is false and accordingly, learned Magistrate has also not taken cognizance of offence punishable under Section 3/4 of the Dowry Prohibition Act and cognizance has been taken under Section 323, 504, 494, 498A of the Indian Penal Code. 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 antecedents.

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 Complaint Case No.297C of 2019, 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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