

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45978 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- MAHILA P.S. District- Bhojpur

Sonu Kumar S/o Jitendra Ray Resident of Village-Phurhara, P.S-Chauri,
District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Hriday Prasad
For the Opposite Party/s	:	Mr. Dinesh Singh
For the Informant	:	Mr. Ritwaj Raman
		Mrs. Shashi Priya

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ara Mahila P.S. Case No. 8/2025 dated 19.01.2025 registered for the offences punishable under Sections 85 and 123 read with 3(5) of the B.N.S. and Sections 3 & 4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfillment of demand of dowry.



4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who is the husband of the informant. The petitioner neither demanded any dowry nor tortured the informant, the fact is that both are living together due to love affair. There is a case and counter case between both the parties. The petitioner has relied upon the judgment of this Court in the case of **"Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182."** Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023.** The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner. The informant was medically examined and the doctor found it to be a case of suspected poisoning.



6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, , Bhojpur at Ara in connection with Ara Mahila P.S. Case No. 8/2025, subject to conditions as laid down under section 482(2) of the B.N.S.S, with further condition:-

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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