

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45255 of 2025

Arising Out of PS. Case No.-1133 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

Manoj Mahto @ Manoj Kumar, S/O Late Ram Ekbal Mahto, R/O Village-
Rampur Asli, P.S- Sahebganj, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi, W/O Manoj Mahto, D/O Vishwnath Mahto, R/O Village- Panch
Bhinwa, P.O- Dariyapur, P.S- Sangrampur, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Ranjan Kumar, Advocate.
For the State : Mr. Sanjay Kumar, 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. C-1133 of 2019 dated
28.5.2019 filed for the offences punishable under Section 498-A
of the Indian Penal Code.

3. As per allegation, marriage between the
Complainant and the petitioner was solemnized in the year 2001
and after three years of marriage, additional demand of dowry
started and on account of non-fulfillment of the same, the
Complainant was harassed by the petitioner/husband. It is also
stated that the child born from their wedlock is 11 years of age.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. He also submits that he is interested to keep his wife and child with all love and dignity. He also 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 antecedent.

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. C-1133 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 antecedent, 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.

9. It appears that on account of normal wear and tear of the married life, marriage is running into rough weather after a long time of marriage and they have one child also. It is better for the parties to appear in the proceeding under Section 9 of the Hindu Marriage Act and try to settle their disputes and live together.

(Jitendra Kumar, J)

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