

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49227 of 2025

Arising Out of PS. Case No.-1472 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Santosh Kumar S/o Pramod Sah @ Pramod Prasad R/o vill - Bahaura
Haribansh, P.S.- Kalyanpur, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar S/o Bachchulal Sah R/o vill - Ahiyapur, P.s.- Sahebganj,
Distt.- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III

For the Opposite Party/s : Ms.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint case, filed on 15.06.2024 in the court of C.J.M., Motihari, punishable for the offence under Section 498(A) of the Indian Penal Code.

3. The complainant, namely Manoj Kumar, alleged that his daughter Babli Kumari was married with this petitioner on 28.04.2022 and out of the wedlock, one female child was born and thereafter, it is alleged that daughter of complainant was subject to torture and cruelty by the accused persons for demand of Rs. 2,00,000/-, as additional dowry. The complainant



has further alleged that having seen the critical condition of his daughter, he gave Rs. 50,000/- to her in-laws members and brought his daughter to his home and treated her.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has been falsely implicated in this case merely because he happens to be husband. He further submits that Babli Kumari, daughter of complainant has died on 30.08.2024 at her parental house, since after giving birth to a child, she was ill and her treatment was going on in PMCH, , but she died due to cardio-respiratory arrest. He next submits that after death of daughter of opposite party no. 2, a *panchayati* was also held between the parties and thereafter, a *Panchnama* was also prepared with consent of parties, which is available at Annexure-3 to this petition. Learned counsel for the petitioner further submits that petitioner is not responsible for death of deceased since she died due to illness, but learned Court below, in its impugned order, has stated that the victim girl died due to torture by the petitioner. Accordingly, learned counsel prays for grant of anticipatory bail to petitioner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.



6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sadar Motihari, East Champaran in connection with Trial No. 3487 of 2025, arising out of Complaint Case No. 1472 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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