

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52672 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- KHIJARSARAI District- Gaya

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Arun Kumar Son of Late Suresh Prasad @ Suresh Mahto village- Pathara, Ps-
Khizarsarai, Dist- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Kumari Wife of Arun Kumar Village- Vichha, Po- Rajbara, Ps-
Wazirganj, dist- Gaya At Present Resident of village- Pathra, Ps-
Khizarsarai, Dist- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-11-2025 Heard learned counsel for the petitioner and learned

APP for the State.

02. In the present case, the petitioner seeks bail in connection with Session Trial No. 913 of 2024 arising out of Khizarsarai P.S. Case No. 279 of 2024 registered for the alleged offences under Sections 189(2), 126(2), 115, 109, 85, 352 of Bharatiya Nyaya Sanhita, 2023 and Section 3/4 of the Dowry Prohibition Act.

03. As per prosecution case, the informant had been married with the petitioner and they have a daughter from this marriage. The allegation against the petitioner and other co-accused persons is that they had been demanding Rs. 2,00,000/-



and they further used to torture the informant on non-fulfillment of their demand. On 03.08.2024, the petitioner and his other family members, on pretext of taking her to see fair, took her to a secluded place in forest and assaulted her with slaps, fists and bricks and thinking her to be dead, the assailants fled away.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The allegation of demanding dowry and torturing the informant is general and omnibus. The informant was in the habit of leaving her house and the petitioner had given a informatory to the police on 04.08.2024. Merely because the petitioner is husband of the informant, he has been dragged in this case, otherwise the petitioner had never been demanding any dowry nor tortured her. Learned counsel further submits that charge-sheet has been submitted and charges have been framed against the petitioner. The petitioner has got no criminal history and he is in custody since 06.09.2024.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- XIX, Gaya in connection with Session Trial No. 913 of 2024 arising out of Khizersarai P.S. Case No. 279 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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