

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56617 of 2024

Arising Out of PS. Case No.-640 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Sohan Sonkar @ Sohan Khatik S/o Jugal Sonkar @ Jugal Khatik R/o Upper
Nivedita road Gurung Basti Near Shiv Mandir Silliguri Darjeeling Pradhan
Nagar West Bengal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Parwati Devi W/o Sohan Sonkar, D/o Sola Sonkar R/o vill - Takiya Bazar,
P.S. - Sasaram, Distt. - rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Dharmendra Kumar Sinha, Advocate
For the Opposite Party/s :	Mr.Ramesh Chandra, APP
For the Complainant :	Mr. Jai Prakash Singh, Advocate
	Ms. Arti Kumari, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 4 16-04-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the complainant.
2. The petitioner apprehends his arrest in connection
with Complaint Case no.640 of 2017 registered under section
498A of the Indian Penal Code and Section 4 of the D.P. Act.
3. As per the prosecution case, the informant states
that her husband Sohan Sonkar, the petitioner herein, started to
assault the informant mentally and physically on account of
non-fulfillment of demand of dowry. She further states that
while a female child was born out of their wedlock in the year
2016, all the accused persons including the petitioner herein,
started to torture her daughter also.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegation of demand of dowry and torture is false and concocted. The complainant got married with one Johny S/o Babu Lal, R/o Sawai, Dist- Agra. The complainant always refused to go with the petitioner whereas he was ready to keep her wife with full honour and dignity. He undertakes to co-operate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2. Learned counsel for the opposite party no. 2 submits that the complainant never married to someone else and also points out that she has the liability of female child also. However, a perusal of the statement made on S.A. by the complainant would show that she herself stated that the petitioner sells vegetables and fruits at Siliguri.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 3,000/- to his wife in the second week of every month for her basic requirements along with her child. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral



proceeding.

7. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.640 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate-Sasaram, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. If the opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 3,000/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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