

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58336 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- DHAKA District- East Champaran

Raja Sah @ Raja Kumar Son of Shambhu Sah R/O Vill.- Rajepur Bisrahiya,
P.S.- Dhaka, Dist.- East Champaran.

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Murti Kumari Daughter of Jagarnath Sah R/O Vill.- Gurnia, P.S.-
Ghorasahan, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar , Advocate

For the Opposite Party/s : Mr. Binod Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 20-11-2025 Heard learned counsel for the petitioner, the State
and the opposite party no.2.

2. The petitioner, who is husband of opposite party
no.2, apprehends arrest in a case registered for the offence
punishable under sections 341 , 323 , 498A and 34 of the
Indian Penal Code and 3/ 4 of the D. P Act.

3 . Prosecution case in brief is that opposite party no.2
was married with the petitioner in the year 2018 and after
marriage , all the accused persons demanded dowry and due to
non-fulfillment of the same they used to assault and torture her.
It is further alleged that on 27.05.2024 at about 05:00 PM, all
the accused persons including this petitioner committed maarpit



with her and ousted victim from her matrimonial house .

4. Learned counsel appearing for the petitioner, while denying the allegations, submits that the petitioner is innocent and has falsely been implicated in this case because he happens to be husband of opposite party no.2. Petitioner is ready to keep her with honour and safety. Besides this, petitioner is ready to give Rs. 3000/-per month to opposite party no.2 by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings.

5 . Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner, being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry and also ousted her to her parents' house . It is further submitted that she has no means of livelihood and is on the verge of starvation .

6. In view of the undertaking of learned counsel for the petitioner as well as condition of opposite party no.2, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, 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 the learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Dhaka P S Case No. 222 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) Opposite party no.2. would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid interim relief per month in the saving bank account of the opposite party no.2.

(iii) In case, petitioner fails to deposit the aforesaid amount of temporary relief/solace for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(iv) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise .

(Prabhat Kumar Singh, J)

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