

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57949 of 2025

Arising Out of PS. Case No.-320 Year-2023 Thana- COMPLAINT CASE -
DALSINGHSARAI District- Samastipur

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Md. Sonu, S/O Late Jamil Akhtar, R/O Village- Moulvichak Nawada, Under
Nagar Parishad, Dalsingsarai, Ward No. 8, P.S- Dalsingsarai, Distt.-
Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samima Khatun @ Shamima Khatoon, D/O Late Md. Murtuja, R/O Village-
Maulvichak, P.S- Dalsingsarai, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shambhu Sn Singh, Advocate
For the State	:	Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 27-08-2025 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. 320 of 2023, T.R. No.
2292 of 2024, filed for the offences punishable under Section
498A of IPC and Section 34 of Dowry Prohibition Act.

3. As per allegation, the marriage between the
petitioner and the complainant was solemnized in the year, 2019
and thereafter, she joined the matrimonial home of the
petitioner. However, additional demand of dowry started and on
account of non-fulfillment of the same, she was subjected to
cruelty and ultimately, she was ousted from the matrimonial



home and since then, she has been living at her *maike*.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that on account of normal wear and tear of married life, marriage is not working and hence, she has been living voluntarily at her *maike*. She does not want to join the matrimonial home of the petitioner. He further 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. 320 of 2023, T.R. No. 2292 of 2024, 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 antecedents, 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.

(Jitendra Kumar, J.)

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