

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60496 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- MAHILA P.S. District- Rohtas

Sanjay Kumar, S/O Shiv Kumar Singh, Resident of Village- Padariya, Post
Office and Police Station- Bikramganj, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari D/O Ramashish Singh At present R/O Village-
Madhurampur, P.O And P.S- Akhodhigola, Distt.- Rohtas at Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party No.1	:	Mr. Yogendra Kumar, APP
For the Opposite Party No.2	:	Mr. Uday Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 16-12-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned A.P.P. for the
State.

2. Petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 5 of 2024 dated 21.03.2024 registered for
the offences under Sections 498(A), 323, 504, 506, 379, 109 of
the Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act, 1961.

3. As per the FIR, the informant has alleged that she
was married to the petitioner and immediately after the
marriage, the petitioner and others started demanding cash and
motorcycle as dowry and on account of non-fulfillment of the
same, she was thrown out of her house and even during one stay



at her parents' house, it is alleged that the petitioner has taken away Rs.10,000/- after breaking the lock of almirah.

4. Learned counsel for the petitioner submits that the allegations with regard to the demand of dowry and assault are all frivolous. It has been submitted that despite best efforts during the mediation, nothing fruitful resulted out of such efforts made at the Mediation and Conciliation Center and in fact the petitioner has given in writing that he is not ready to keep the informant. It has been submitted by the learned counsel for the petitioner that the allegations even if taken on its face value are general and omnibus and the petitioner has clean antecedent.

5. Learned counsel for the opposite party no.2 and learned APP for the State have vehemently opposed the prayer for anticipatory bail and stated that it is the petitioner who is not ready to live as husband and wife with the informant, while the informant has given in writing that she is eager to stay with the petitioner. It has also been submitted that for non-fulfillment of demand of dowry, the petitioner has been torturing the informant and has ultimately thrown her out of the house.

6. Considering the aforesaid submissions and taking into account the fact that despite the best efforts by the



Mediation and Conciliation Center the settlement could not be arrived at between the parties and it has also been observed that the petitioner is not ready to keep the informant as his legally wedded wife. In such circumstances, it is open for the parties to move the competent Court for settlement.

7. Accordingly, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Mahila P.S. Case No. 5 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two 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.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for anticipatory bail is allowed.

9. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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