

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65856 of 2024

Arising Out of PS. Case No.-102 Year-2021 Thana- MAHILA P.S. District- Samastipur

Rajneesh Kumar Rai S/O Manoj Ray R/O Village- Narghoghi, P.S-
Sarairanjan, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Rai W/O Rajneesh Kumar Rai R/O Village- Narghoghi, P.S-
Sarairanjan, Distt.- Samastipur. At present address D/O Vishwanth Rai, R/O
Siddhu Kanu, Sarani, Ward No. 12, Siliguri, Distt.- Darjling.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 20-03-2025 Despite valid service of notice, O.P. No. 2

chose not to appear.

2. Heard learned counsel for the petitioner and

learned APP for the State.

3. The instant application for anticipatory bail

has been filed by the petitioner apprehending his arrest in

a case instituted for the offence punishable under

Sections 498(A), 494, 341, 323, 504, 506/34 of the

Indian Penal Code and Section 3/4 of Dowry prohibition

Act.



4. The prosecution's case, in brief, is that the informant's marriage with the petitioner was solemnized in year 2017. At the time of the marriage, her father spent according to his capacity and bestowed gifts upon the petitioner. However, after the marriage, the informant's in-laws allegedly started demanding a motorcycle as additional dowry. When the informant expressed her inability to fulfill this demand, she was driven out of her matrimonial home. Furthermore, it is alleged that the informant later came to know that the petitioner ie. her husband, had solemnized another marriage.

5. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted that in 2020 a *Panchayati* was held in which informant has given a written statement that she, on her own will, wants to go to Siliguri and after going there she filed a case bearing MR Case No. 19 of 2021 which was dismissed on



30.08.2022. It is further submitted that petitioner is still ready to keep his wife with full honour and dignity but the informant did not want to reside with him, without any cogent reason. It is further submitted that petitioner has not solemnized second marriage. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Mahila P.S. Case no. 102 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial



Magistrate, Samastipur, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

8. At the time of filing of bail bonds, petitioner is directed to file an affidavit disclosing the fact about his second marriage, whether he has performed or not.

(S. B. Pd. Singh, J)

Nirajkrs/-

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