

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79512 of 2024

Arising Out of PS. Case No.-3366 Year-2022 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

Sanjay Sah @ Sanjay Kumar Son of Late Bishwanath Sah Resident of Village
- Nagar Basti Begumpur, Ps- Warish Nagar, Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi Wife of Sanjay Sah village- Nagar Basti Begumpur, Ps- Warish Nagar, Dist- Samastipur, P/A- Sadpura, Janki Durga Mandir, Ps- kazi Mohammadpur, Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-04-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 323, 354(B), 498(A), 307, 504, 506, 120(B) and 34 of the I.P.C. Petitioner is the husband of opposite party no.2.

3. The allegation in the complaint petition is that of demand of dowry and torture.

4. Learned counsel for the petitioner submits that the present complaint case has been filed after eighteen years of marriage and there is no cognizance under Section 307 of the I.P.C., although, the same had been levelled in the complaint



petition. It has further been submitted that the petitioner is ready to keep his wife and the allegations made in the complaint are not correct.

3. The learned APP for the State and the learned counsel for the informant oppose the prayer for grant of anticipatory bail on the ground that there are two children out of the wedlock and they have also been left and the petitioner is not even taking the responsibility of the children.

6. At this stage, the petitioner offers to give Rs.4500/- (rupees four thousand five hundred rupees) per month to opposite party no.2 in the first week of every month. 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. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 ACJM-1st East Muzaffarpur in connection with Complaint Case No. 3366 of 2022, subject to the condition as laid down under Section 438



(2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

8. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

Aditya Ranjan/-

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