

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75241 of 2024

Arising Out of PS. Case No.-3654 Year-2022 Thana- SARAN COMPLAINT CASE District-
Saran

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Sunil Kumar Sah S/o- Kameshwar Sah Village- Kounch, Bhagwanpur, P.o.
Rampur Rudhra, P.s. Panapur Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Devi W/o- Sunil Sah, D/o- Anandi Sah Village- Croadh Bhagwanpur
Ps- Panapur Po- Rampur Rudra Dist- Saran at Chapra A/P- Mathiya Po-
Lehaji Tola Mathiya Ps- Hussanpurba Dist- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Adv.
For the State	:	Mr. Arun Kumar, APP.
For the Complainant	:	Mr. Ashad, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 09-05-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the complainant.

2. A supplementary affidavit has been filed on behalf of
the petitioner to bring on record the fact that besides the two
cases pending against the petitioner which have been indicated
in the main petition, there is one more case against him in
which final form has been submitted by the police on
21.08.2018.2.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 341,
379, 354(B), 498A, 504, 34 of the Indian Penal Code.



4. Petitioner, who is husband of complainant, is said to have tortured upon her physically and mentally and ousted her from the matrimonial house in association of his family members over the dowry demand.

5. The matter had earlier been sent to the Patna High Court Mediation Centre for resolving the disputes between the parties, but the process had failed.

6. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are not correct and as a matter of fact, he had always been ready to keep the complainant with due dignity and honour, but it is the complainant who was not desirous of staying with the petitioner in the matrimonial home. It is further submitted that the petitioner will not abscond or tamper with the evidence rather will cooperate in the trial.

7. Learned APP for the State and learned counsel appearing for the complainant oppose the prayer for anticipatory bail supporting the allegations made in the complaint petition.

8. At this stage, learned counsel for the petitioner makes an offer that the petitioner would make the payment of Rs. 3500.00/- (Rupees Three Thousand Five Hundred) per month



to the complainant in the second week of every month to which learned counsel for the complainant agrees. Learned counsel for the complainant has, however, raised an issue that the petitioner is not allowing the complainant to talk and visit her children. With regard to such grievance, it is undertaken on behalf of the petitioner that he would not restrict or refrain the mother (complainant) from meeting her children or talking to them.

9. 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 Court below where the case is pending/successor Court in connection with Complaint Case No. 3654 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

10. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

11. Learned counsel for the complainant is directed to furnish the bank account details of the complainant in the



learned Court below. If the complainant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

12. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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