

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73389 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- MAHILA P.S. District- Rohtas

Shwetabh Vineet @ Shwetabh Vineet Pandey S/O Santosh Kumar Pandey
Resident of Village- Vineeta Nivas, New Colony, P.S- Muzaffarpur Sadar,
Distt.- Muzaffarpur. Permanent R/O Village-Vshnupur, Tara, PS-Madhuban,
Distt-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Archana Prabhat W/o Shwetabh Vinnet, D/o Arbind Pandey R/o Prabhat Villa, New Area, Station Road, Dehri-on-son, Distt.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner, learned counsel for the informant and the learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in a case in connection with Rohtas Mahila P.S. Case No. 12 of 2025 dated 29.05.2025, registered for the offences punishable under Sections 318(4), 336(3), 115(2), 85 and 351(2) read with Section 3(5) of the BNS and under Sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the marriage of the informant was solemnized with the petitioner on 04.12.2024. It is further alleged that the petitioner gave false information that



he is working as Rural Development Officer and demanded and received money from the informant on various occasions. It is further alleged that on 16.01.2025, the petitioner, in an intoxicated state, demanded Rs. 30 lakhs from the informant and threatened that if his demand was not fulfilled, then he will circulate the marriage related photographs and on 10.04.2025, the petitioner again threatened the informant that if his demand is not met, then he will kill the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the complainant. The allegation levelled in the complaint petition is false and fabricated and the petitioner has not committed any such offence as alleged in the complaint petition. It is further submitted that the petitioner is the husband of the complainant and he has no concern with the alleged offence. The petitioner has relied upon the judgment of this Court in the case of ***“Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.”*** Learned counsel has further submitted that Section 498 A of the the Indian Penal Code is triable by the Magistrate. Learned counsel has further relied on the judgments



in the case of *Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351* and *Md. Asfak Alam Vs. The State of Jharkhand & Another* passed in **Criminal Appeal No (s). 2207 of 2023** arising out of **Special Leave Petition (CRL.) No. 3433 of 2023**. The petitioner has got no criminal antecedent as stated at para 3 of the bail petition.

5. Learned counsel for the informant as well as learned APP for the State has vehemently opposed the prayer for anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioner, let the petitioner named-above, in the event of his arrest / surrender before the learned Court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rohtas at Sasaram, in connection with **Rohtas Mahila P.S. Case No. 12 of 2025**, subject to conditions as laid down under Section 482(2) of the BNSS, on further condition:

(i) The petitioner is directed to remain physically present before the learned trial Court on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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