

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80799 of 2024

Arising Out of PS. Case No.-1197 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Siyaram Mistri @ Siyaram kumar S/O Late Mahendra Mistri R/O Village-
Naya Bajar, Ward no. 18, P.S. Maheshkhunt, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chunchun Devi @ Kanchan Kumari wife of Siyaram Mistri @ Siyaram
Kumar, D/O- Mantun Sharma Resident of Village- Kubaidan Tola, P.S.-
Simri Bakhtiyarpur, Distt.- Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 22-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner apprehends his arrest in connection with
Complaint Case No.1197C of 2023, registered under Sections
498A, 34 of the IPC and Section 3 and 4 of Dowry Prohibition
Act.

3. The case is registered under Section 498A of IPC and
petitioner is the husband of the complainant. The prosecution
case is based upon a complaint filed by the wife of the
petitioner, who has made allegations of demand of dowry and
torture.

4. It would appear from the earlier orders of this Court that
notices were issued to opposite party no.2 and despite valid



service of notice no one appears on behalf of opposite party
no.2.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He has one criminal antecedent. He further submits that all the allegations made in the complaint are incorrect and as a matter of fact the petitioner is ready to keep his wife with dignity and honour but it is complainant who left her matrimonial house voluntarily and is not desirous of continuing in the matrimonial relationship.

6. In such view of the matter, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Saharsa, in connection with Complaint Case No.1197C of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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