

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75552 of 2025**

Arising Out of PS. Case No.-938 Year-2019 Thana- ARA NAWADA District- Bhojpur

Santosh Kumar Rai @ Santosh Rai, S/o Gupteshwar Rai, R/o village - Jabahi Jagdishpur, Post - Adilpur, P.S.- Brahmapur, Distt.- Buxar

... .. Petitioner

Versus

1. The State of Bihar
2. Rinku Devi W/o Santosh Rai @ Santosh Kumar Rai R/o village - Jabahi Jagdishpur, Post - Adilpur, Bhojpur, Bihar, present Address- Village - Mehdaqua, P.S.- Azimabad, Dist- Bhojpur

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate  
For the Opposite Party/s : Mr. Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      03-11-2025                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Ara Nawada P.S. Case No.938 of 2019 registered under Sections 323, 498-A, 494, 497, 354, 376 of the Indian Penal Code as as well as Sections 3 and 4 Dowry Prohibition Act.

3. The present FIR is based upon Complaint Case No.1434 of 2019 filed before learned C.J.M., Bhojpur at Ara on 24.08.2019 through which the complainant raised allegation of cruelty and dowry demand against her husband



and in-laws, where allegation of rape also raised against father of this petitioner, who is none but the father-in-law of the complainant.

4. It is submitted by learned counsel appearing for the petitioner that the main allegation as raised through present complaint appears cruelty due to non-fulfilment of dowry and just to aggravate the allegation, the father-in-law was alleged to commit rape upon complainant. The petitioner is the husband and claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as petitioner is the husband, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 the learned Chief Judicial Magistrate, Ara at Bhojpur in connection with Ara Nawada P.S. Case No.938 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of  
the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short  
‘BNSS’).

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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