

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75112 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- MAHILA P.S. District- Samastipur

Saurabh Ranjan S/o Ashok Kumar R/o Mohalla - Lohanipur, P.O - Lohanipur,
P.S - Kadamkuan, District - Patna At present R/o - Sai Yahvi Apartment, Flat
No. 301, 12 Main Road Hoodi, K. R. Puram, P.O and P.S - Kadugodi,
Bangaluru Urban, State - Karnataka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijaya Laxmi Srivastawa, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

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

2. The petitioner is apprehending his arrest in a case in connection with ABP No. 1958 of 2025, arising out of Mahila P.S. Case No. 40 of 2025, dated 28.05.2025, registered for the offences punishable under Sections 126(2), 115(2), 85, 352 and 351(2) read with Section 3(5) of the BNS and under Sections 3 and 4 of Dowry Prohibition Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfillment of demand of Rs. 35 lakhs as dowry and ousted her from her



matrimonial home. It is further alleged that on 10.05.2025, the petitioner along with his parents came to the informant's residence and threatened her that he would commit suicide and implicate the informant's entire family in a case.

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 FIR is false and fabricated and the petitioner has not committed any such offence as alleged in the FIR. The petitioner, in order to save the marriage, filed a petition under Section 9 of the Hindu Marriage Act *vide* Matrimonial Case No. 661 of 2023 before the Principal Judge, Family Court, Patna and for some time, the informant returned back to her matrimonial house, however, she again left her matrimonial house. The petitioner, in order to restore the marital relationship, again filed a fresh petition under Section 9 of the Hindu Marriage Act on 21.07.2025 *vide* Matrimonial Case No. 949 of 2025. 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/complainant 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, Samastipur, in connection with **ABP No. 1958 of 2025, arising out of Mahila**



P.S. Case No. 40 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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