

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77843 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Durgesh Kumar Singh S/o- Late Shiv Janam Singh Village- Laheri Ps-
Kochas Dist- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sushil Kumar S/o- Late Gupteshwar Singh Moh- Company Sarai, W.No-11,
Ps-Sasaram Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A of
the Indian Penal Code.

3. As per the prosecution case, the complainant states
that the marriage of her sister was solemnized with the
petitioner in the year 2017. The complainant states that her
sister's husband, the petitioner herein, along with accused
persons started to assault her sister mentally and physically on
account of non-fulfillment of demand of dowry and also ousted
her from matrimonial house. Vide earlier order dated



17.01.2025, the matter was sent to the Patna High Court, Mediation Center for reaching an amicable settlement between the parties but the process of mediation has failed.

4. Learned counsel for the petitioner submits that the allegations leveled in the complaint petition are not correct and during the mediation process, the petitioner had showed his inclination to keep his wife with due dignity and honor and as a result of the same, had taken the informant along with him to his matrimonial house.

5. Learned counsel appearing for the O.P. No.2 supports the fact that the petitioner had taken his wife along with him but subsequently in the last session of mediation, he had refused to keep her along with him after having seen the medical report of the girl. Today, the counsels appearing for the petitioner and the complainant have both stated that the presently the sister of the complainant is staying along with her husband in her matrimonial house but learned counsel for the O.P. No.2 also expresses his apprehension about the behavior that would be meted out to her in the event of grant of anticipatory bail, in response to which, learned counsel for the petitioner submits that there would be no misbehavior with the O.P. No.2 even



after the grant of anticipatory bail and he would always keep her with due dignity and honor.

6. Taking into consideration the fact and circumstances, I am inclined to grant the petitioner the privilege of anticipatory bail. Let the petitioner, above named, 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, Sasaram, Rohtas, in connection with Complaint Case No.96 of 2024 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial. However, it is made clear that in case the complainant/O.P. No.2 faces any serious threat at the hands of the petitioner and if cruel behavior is meted out to her, she would always have the liberty to file an application for cancellation of bail.

(Soni Shrivastava, J)

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