

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76076 of 2025

Arising Out of PS. Case No.-1613 Year-2024 Thana- VAISALI COMPLAINT CASE
District- Vaishali

=====

Suryabhushan Vishwakarma @ Vikky Sharma S/o Rambalak Thakur R/o vill
- Chakpahad, P.s.- Tajpur, Distt.- Samastipur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sushila Kumari D/o Lal Bahadur Sharma R/o vill - Jadhua, Bramhasthan,
P.s.- Hajipur Town, Distt.- Vaishali

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Navin Kumar Singh, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

=====

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

ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 1613 of 2024 dated 01.07.2024
registered for the offences punishable u/ss 498A, 323, 324, 504, 506
read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the complainant was
married with the petitioner on 31.05.2016 and after marriage, she
went to her Sasural. She was blessed with a son from their wedlock.
Thereafter, the accused persons started demanding Rs. 2 lakhs cash
and a Bullet vehicle as dowry and due to non-fulfillment of the said
demand, all the accused persons subjected the complainant to torture
and cruelty and ousted her from the matrimonial home and



refused to keep her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is the husband of the complainant and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the complainant. 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 498A of the IPC 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 & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023**. The petitioner has one criminal antecedent in which he is acquitted as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender 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 the learned court concerned, Vaishali at Hajipur in connection with Complaint Case No. 1613 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :

(i) The petitioner is directed to remain physically present before the learned Court below 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. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

