

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78375 of 2024

Arising Out of PS. Case No.-1172 Year-2020 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Sunny Deval @ Sanni Dewal Son of Late Deep Narayan Mandal Resident of
Village -Munsipati Sultanganj Police Station -Sultanganj, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Sunny Deval @ Sanni Dewal village- Ikchari Diyara, ps-
Ikchari, dist- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 09-04-2025 Office has reported that the notice issued under

speed post has been personally received by the opposite party

no. 2.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. Earlier notices were issued to the complainant (O.P.
No. 2) but nobody appeared on behalf of the complainant (O.P.
No. 2).

4. The petitioner apprehends arrest in connection with

Complaint Case No. 1172 of 2020, instituted for the offence

punishable under Sections 323, 498(A), 494, 504, 506 of the

Indian Penal Code and Section ¾ of the D.P. Act.



5. The prosecution case, in short, is that the marriage of the opposite party no. 2 was solemnized with the petitioner on 22.07.2010. Three children were born out of wedlock. It is further alleged that the petitioner and his family members demanded Rs. 3 lakhs as dowry from opposite party no. 2 (complainant) and threatened her that her husband (petitioner) will solemnize second marriage. It is further alleged that on 21.02.2019, complainant came to know that the petitioner has solemnized second marriage and thereafter complainant along with her children was kicked out of her in-laws house.

6. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is husband of complainant (O.P. No. 2). It is further submitted that the allegation levelled against the petitioner is general and omnibus in nature. It is also submitted that a maintenance case bearing Maintenance Case No. 124 of 2020 under Section 125 of the Cr.P.C. has been filed by the complainant (O.P. No. 2) before the Family Court, Bhagalpur, and in the said maintenance case Rs. 10,000/- per month was directed to be given by petitioner as maintenance to the complainant (O.P. No. 2). It is next submitted that petitioner is regularly paying the maintenance of



Rs. 10,000/- per month in compliance of order of the learned Family Court, Bhagalpur since August, 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

7. Learned A.P.P. has opposed the prayer for bail of the petitioner.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 1172 of 2020, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also to the following conditions:-

1. If the petitioner fails to comply the order of the Family Court, Bhagalpur with regard to maintenance of Rs. 10,000/- per month to the complainant (O.P. No. 2), the bail bond of the petitioner shall stand cancelled.

(Khatim Reza, J)

sankalp/-

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