

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81050 of 2024

Arising Out of PS. Case No.-1579 Year-2021 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Sameer Saurabh @ Bittu Son of Yogendra Prasad Sinha R/V - Kaurihar, P.S. -
Gamhiriya, Distt. - Madhepura, At Present residing at Thari Road, Dullampur,
Shastrinagar, Distt. - Deoghar (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ankita Kumari alias Simpall Sameer Saurabh alias Bittu R/V - Kaurihar, P.S.
- Gamhiriya, Distt. - Madhepura, at present residing at village - Paharpur,
P.S. - Mahua, P.O.- Garjaul, Distt. - Vaishali
2. Ankita Kumari @ Simpall Wife of Sameer Saurabh @ Bittu, D/O- Shambhu
Prasad R/V - Kaurihar, P.S. - Gamhiriya, Distt. - Madhepura, At Present
residing at Village- Paharpur, P.S.- Mahua, P.O.- Garjaul, Distt. - Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prabhat, Adv.
For the Opposite Party/s : Mr.Ajit Kumar, APP

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

ORAL ORDER

3 06-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Vaishali Complaint Case
No. 1579/2021 dated 31.08.2021 registered for the offences
punishable u/ss 498A, 323, 379 of the Indian Penal Code and
Section 3/4 of the D.P. 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. 30,000,00/- as dowry. On 24.08.2021, all the accused persons assaulted her and snatched all her ornaments and belongings and also pressurized her to went away from the house.

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 the further submitted that the petitioner is the husband of the informant. The petitioner neither demanded any dowry nor tortured the informant. The petitioner 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 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 clean antecedent as stated in para 3 of the bail petition. The petitioner



is in custody since 12.09.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on 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 Court concerned, Vaishali at Hajipur in connection with Vaishali Complaint Case No. 1579/2021.

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)

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