

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80007 of 2025

Arising Out of PS. Case No.-1101 Year-2020 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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PRAMOD KUMAR SHARMA @ SHRI PRAMOD KUMAR SHARMA S/O
MAHENDRA SHARMA @ MAHENDRA SHARMA R/o Village- Bhabha
Nagar Bhagwanpur, P.O- Muzaffarpur, P.S- Sadar, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Asha Kumari W/o Pramod Kumar Sharma @ Shri Pramod Kumar Sharma,
D/o Umanath Sharma @ Shri Umanath Sharma R/o Village- Hastharganj,
Ward No.1, P.O- Hajipur, P.S- Nagar, Dist- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ashish Kumar Ranjan, Adv.
For the informant	:	Mr. Vasant Vikas, Adv.
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2, APP

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

ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 1101 of 2020 dated
29.06.2020 registered for the offences punishable u/ss 498A,
494, 379, 504 read with section 34 of the Indian Penal Code and
Sections 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 dowry and ousted the informant and her child from the matrimonial home.

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 informant and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant. It is further submitted that the informant has also filed a maintenance case bearing Maintenance Case No. 64 of 2020 which is pending before the learned Principal Judge, Family Court, Vaishali at Hajipur (mentioned in para 15 of the bail petition). 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 no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have 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. 1101 of 2020, 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)

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