

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82859 of 2024

Arising Out of PS. Case No.-868 Year-2022 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Sanjit Kumar @ Sanjit Yadav S/o- Shyam Yadav @ Shyam Prasad Yadav
Resident Of Village-Dhobani, Ps- Meskaur, Sirdala, Dist-Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari W/o- Sanjit Kumar @ Sanjit Yadav, D/o- Shivrul Prasad
Resident Of Village-Dhobani, Ps- Meskaur, Sirdala, Dist-Nawada, A/P-
Ramraichak Ps-Sirdala Dist-Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the State	:	Mr. Parmanand Kumar, APP
For Opposite Party No.2 :		Mr. Durgesh Nandan, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel appearing on behalf of

the complainant/Opposite Party No. 2.

2. The petitioner seeks bail in a complaint case
registered for the offence punishable under Sections 323, 498A
and 307 of the Indian Penal Code and Sections 3 and 4 of the
Dowry Prohibition Act.

3. As per the prosecution case, this petitioner is
alleged to have committed torture and harassment upon the
complainant/Opposite Party No. 2 due to non-fulfillment of
demand of dowry.



5. Learned counsel appearing on behalf of the petitioner, while denying the allegations made in the complaint petition, submits that the petitioner has been falsely implicated in this case merely because he is husband of the complainant/Opposite Party No. 2. As a matter of fact, at no point of time, petitioner demanded any dowry or committed any torture. The petitioner is ready to keep the complainant/Opposite Party No. 2 at her matrimonial house with honour and dignity. It is further submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon the judgment of this Hon'ble Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar***, reported in ***2006(3) PLJR 182***. Petitioner has got no criminal antecedents and he is in custody since 04.09.2024.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2 vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation, period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.



7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Nawada, in connection with Complaint Case No. 868 of 2022.

(Prabhat Kumar Singh, J)

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