

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4640 of 2025

Arising Out of PS. Case No.-181 Year-2024 Thana- COMPLAINT CASE - BIKRAMGANJ
District- Rohtas

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Sanjay Kumar @ Sanjay Sharma Son of Rajkeshwar Sharma Resident of
Village- Ghusiya Khurd, P.S.- Bikramganj, Distt.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pushpa Kumari Wife of Sanjay kumar @ Sanjay Sharma Resident of
Village- Ghusiya Khurd, P.S.- Bikramganj, Distt.- Rohtas at present residing
at Village- Suryapura, P.O. and P.S. Suryapura, Distt.- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar Sinha, Sr. Advocate
	:	Mr. Alexander Ashok, Advocate
For the State	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Nagendra Upadhyay, Advocate
	:	Mr. Maya Shankar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 25-07-2025 Heard Mr. Dharendra Kumar Sinha, learned Senior

Counsel for the petitioner duly assisted by Mr. Alexander Ashok
and Mr. Nagendra Upadhyay for the opposite party no.2 as also
learned APP representing the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 181 of 2024 for the
offence punishable under Sections 323 and 498(A) of the Indian
Penal Code and section 3 and 4 of the Dowry Prohibition Act,
lodged by the complainant Pushpa Kumari.

3. As per the prosecution story, the wife filed a
complaint alleging that she was married in the year 2015 and



with the passage of time, was blessed with four children. However, she was regularly tortured for dowry and when she informed that in absence of her father who is no more, she cannot arrange money, the food was stopped. Her elder sister came to her rescue and took her away. They talked with the parents but the demand continued. In that background and since all the children beside her are suffering, the complaint.

4. In this case, a categorical statement was made by the petitioner on affidavit in paragraph no.9 that he wants to live peacefully with his wife. In that background, while granting interim protection to the petitioner, the couple was asked to be present. Accordingly, they appeared before the Court on 14.05.2025.

5. On the said date, they decided to return home together. However, later the lady came in the Courtroom and informed that once they moved out of the Court, the petitioner escaped leaving her alone.

6. The matter was accordingly passed over with the direction to Mr. Alexander Ashok representing the petitioner to get instructions. On 15.05.2025, when the matter was again taken up, the learned counsel for the petitioner informed that the petitioner is not picking up his calls. In that background, the



interim protection granted to the petitioner was vacated on the said day itself.

7. Learned Senior Counsel for the petitioner submits that the marriage is of the year 2015, it is unbelievable that after such long years and birth of four children, any demand can be made. Though he concede that after giving an undertaking on affidavit that he wants to live with his wife peacefully, the petitioner chose to change track after securing interim protection.

8. Learned counsel representing the opposite party no.2 submits that the conduct of the petitioner clearly show that how she was tortured. However, despite the repeated torture and not providing food, she wanted to continue with her marital status for the sake of her four children, the petitioner gave an undertaking but later not only left her alone in the Court, is not even taking the calls of Mr. Alexander Ashok who is here to defend him. As such, he does not deserve relief.

9. Taking into account the aforesaid facts, the allegation and the conduct of the petitioner who has lied on affidavit, as also before this Court, in that background, it would appropriate that he seek bail.

10. The anticipatory bail application stands rejected.



11. Interim protection was already vacated on the earlier occasion. Office to inform the concerned court immediately.

12. It is made clear that last time, the office failed to inform the court as would manifest from the office notes. If again, it is found that the office failed to inform the concerned court, the same shall be viewed very seriously.

(Rajiv Roy, J)

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