

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18973 of 2026

Arising Out of PS. Case No.-6 Year-2021 Thana- MAHILA THANA District- Begusarai

Lalo Sah, son of Ram Murti Sah, Resident of village- Husainichak,
Faridnagar, P.S.- Baliya, Dist- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate

For the State : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Begusarai Mahila P.S. Case No.06 of 2021,
dated-15.02.2021 registered for the offences punishable under
Sections 498A of the Indian Penal Code & Section 3 / 4 of the
Dowry Prohibition Act.

3. As per allegation, the marriage between the
Petitioner and the Informant was solemnized in the year 2018 as
per Hindu rites and customs. However, subsequent to the
marriage, additional demand of dowry started by the Petitioner
and his family members and on account of non-fulfillment of
the same, she was subjected to cruelty by the Petitioner and
other co-accused and since 10.01.2021 she has been living at her
maike.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that in view of the mental incompatibility between the Petitioner and his wife/informant, matrimonial discord developed and hence, she left the matrimonial home to live at her *maike* and she has died of T.B. as reported by the police. He further submits that even charge-sheet has been submitted against the Petitioner and co-accused and during the investigation, the Petitioner has been given benefit of Section 41A Cr.PC throughout and he also submits that the maximum punishment prescribed for the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the privilege granted by the police under Section 41A Cr.PC and co-operation of the Petitioner during investigation and the maximum punishment prescribed



for the alleged offence being three years, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Begusarai Mahila P.S. Case No.06 of 2021, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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