

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24043 of 2026

Arising Out of PS. Case No.-1322 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Pintu Kumar Sao Son of Vijay Sao R/o Village - Akhgaon, P.S. - Sandesh,
Dist. - Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari R/o Village - Akhgaon, P.S. - Sandesh, Dist. - Bhojpur at
present D/o Umesh Sao @ Umesh Sah, R/o Village - Phulari, P.S. - Sandesh,
Dist. - Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 15-07-2026 Heard the learned counsel for the petitioner, the

learned counsel appearing on behalf of the opposite party no. 2

and the learned APP for the State.

2. The petitioner apprehend his arrest in connection
with Complaint Case no. 1322 C of 2023, registered under
Sections 147, 148, 341, 323, 379, 498 (A), 504, 506, 34 of
Indian Penal Code and ³/₄ Dowry Prohibition Act.

3. That the prosecution allegations as per the
complaint filed by the complainant is that, her marriage was
solemnized on 28.11.2021 and after marriage she went to her
matrimonial home. She lived there for about two months and
thereafter the petitioner and other co-accused persons started



demanding dowry to the tune of Rs. 2,00,000/- from the complainant. When the demand of the petitioner and others was not fulfilled, they started torturing, abusing and assaulting the complainant and used to keep her without any food. When her parents objected to her being ill treated, the accused persons informed that till of demand of dowry will not be fulfilled, the complainant will not be allowed to live in her matrimonial home. It is further alleged that the accused persons also took her signature on two blank sheets of paper and ousted her from her matrimonial house on 28.03.2022. The petitioner at that time was pregnant and when the father of the complainant requested the accused persons to perform *vidai*, a panchayati was also held, but nothing fruitful came. It has been further alleged in the complaint petition that on 01.09.2022, the complainant gave birth to a girl child, however the petitioner or the other co-accused persons never came to see the new-born baby. The complainant went to her matrimonial house on 03.07.2023, however after one week the accused persons, including the petitioner, again started torturing and assaulting the complainant. On 01.08.2023 when the complainant was confined in a room, she called her father at around 11:00 in the night. Thereafter the father of the complainant came along with



the police and took her with him.

4. The learned counsel for the petitioner submits that the petitioner is the husband and no demand of dowry has been made from the complainant. He submits that the petitioner is still ready and willing to keep the complainant as his wife and the matter was referred to the Patna High Court Mediation Center, where mediation was also held in between the parties, however the matter could not be settled through the process of mediation and the mediator sent his report on 23.06.2026. The learned counsel for the petitioner submits that he is still ready and willing to reconcile the matter, however the complainant is not ready to live with her. He further submits that the petitioner is an accused in one another case filed by the complainant bearing Sandesh P.S. Case No. 246 of 2024.

5. *Per contra*, the learned counsel appearing on behalf of the complainant/opposite party no. 2 submits that the complainant wants to live with her husband (petitioner therein), however due to torture and assault it is not possible to live with the petitioner. He submits that a Maintenance Case No. 93 Of 2023 is pending in between the parties, wherein on the date fixed i.e. 23.08.2024, the complainant went with her husband but on the same day she was assaulted by the petitioner, for



which she was forced to lodge Sandesh P.S. Case No. 246 of 2024.

6. The learned APP appearing on behalf of the State also opposes the prayer for bail of the petitioner.

7. Considering the rival submissions and after going through the records, it appears that the petitioner is ready to reconcile the matter and to keep the complainant as his wife, however as per the statement given by the learned counsel for the complainant, on her instructions, she is not ready to go with her husband on account of fear of assault and torture. Considering the above, let the petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks, be released on anticipatory bail in connection with Complaint Case no. 1322 C of 2023, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Bhojpur at Ara, subject to the condition laid down under Section 438(2) of the Cr.P.C., and subject to the following conditions:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal



antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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