

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28816 of 2026

Arising Out of PS. Case No.-205 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Sunil Baitha Son of Munna Baitha Resident of Village - Basdiha, P.S.- Dinara
(Bhanas), District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saraswati Devi Daughter of Harinarayan Baitha Resident of Village -
Chitaini, P.S.- Kochas, District - Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar Singh, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Rabindra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 17-07-2026 Heard Mr. Mithilesh Kumar Singh, learned counsel

for the petitioner and Mr. Rabindra Kumar, learned counsel for

the informant as also Mr. Jitendra Kumar Singh, learned APP

representing the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.205 of 2023 registered for
the offence punishable under Sections 498(A) and 323 of the
Indian Penal Code and section 3 and 4 of the Dowry Prohibition
Act, lodged by the complainant Saraswati Devi.

3. As per the prosecution story, the lady was married
to the petitioner since the year 2017. There was always torture
for dowry and finally she was ousted in the year 2021. This led



to the F.I.R.

4. Earlier, the coordinate Bench sent the matter to the Mediation Center but the mediator report dated 02.07.2026 shows that it failed.

5. Today, on call, both the parties, after consulting the petitioner and also the opposite party no. 2 submitted that since the petitioner has decided to part ways, the lady will not come in his way and will do the needful in this regard so that both can live happily.

6. Learned counsel for the petitioner submitted that since the lady is his wife and the couple is blessed with a child, he on his own would like to contribute Rs.5,00,000/- by way of Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond but the submission is that he be allowed to pay the amount in two equal installments.

7. Learned counsel for the opposite party no. 2 submitted that the lady is residing with her parents, they are poor, the family situation is such that she needs to earn something.

8. Considering the submissions of the parties aforesaid, as also that the petitioner does not have criminal



antecedent, in that background, this Court is inclined to extend him relief subject to payment of Rs.5,00,000/- in the following manners:

(i) the bank draft of Rs.2,50,000/- addressed to Saraswati Devi at the time of execution of bail bond and;

(ii) second installment of Rs.2,50,000/- by 15.10.2026.

9. Failure to pay the second installment, the opposite party no. 2 shall be free to take immediate steps for the cancellation of the bail bond.

10. Once the payment is made, the couple shall be taking steps in accordance with law for parting ways, as has been undertaken by both of them through their respective counsels.

11. So far as the opposite party no. 2 residing in her parents' home who are poor, this Court directs the Block Development Officer, Kochas, Rohtas, to personally see to it that:

(i) she gets a bank account opened;

(ii) all the necessary documents relating to her identity or identity of her child, be issued to her



immediately;

(iii) he shall ensure that she is attached to the local Jeevika Group and a report by way of affidavit shall be filed by the Block Development Officer, Kochas, Rohtas, in next six weeks.

12. Mr. Jitendra Kumar Singh, senior learned APP shall be filing affidavit on behalf of the Block Development Officer, Kochas, Rohtas and his name be published in the cause list.

13. List this case on 28.08.2026 under the heading “To be Mentioned” for perusal of the affidavit to be filed by the concerned officer.

14. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sasaram, Rohtas, in connection with Complaint Case No.205 of 2023 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to



show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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