

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47527 of 2025**

Arising Out of PS. Case No.-57 Year-2022 Thana- VAISALI COMPLAINT CASE District-  
Vaishali

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Shushil Thakur @ Shushil Kumar @ Sushil Kumar @ Sushil Thakur S/o  
Vinod Thakur @ Vinod Kumar Thakur R/o vill - Majhauri Pachdahi, P.S. -  
Sakra, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sweety Kumari W/o Shushil Thakur R/o vill - Majhauri Pachdahi, P.S. -  
Sakra, Distt.- Muzaffarpur, Temporarily residing in rented house, Mosadpur,  
P.S. - Barauni, Distt.- Begusarai and at present residing D/o Jagnarayan  
Singh, vill- Ghoswar, P.S.- Sadar Hajipur, Distt.- vaishali

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Niraj Kumar, Advocate  
For the Opposite Party/s : Mr.Bharat Bhushan, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

5      21-01-2026                      Heard Mr. Niraj Kumar, learned counsel for the  
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. Though, notices were validly served upon opposite  
party no.2, on call, there is no appearance.

3. The petitioner is apprehending arrest in connection  
with Complaint Case No. 57 of 2022 instituted under Sections  
498(A), 406, 354 of the Indian Penal Code and section 4 of the  
D.P. Act filed by the complainant, Sweety Kumari.

4. As per the complaint, the lady alleged that she got  
married to the petitioner in the year 2008 but was always  
subjected to torture for dowry and lastly after the birth of second



daughter, the torture intensified. A Panchayati took place in the year 2019, the family executed a bond to keep the lady properly but on 25.12.2021, she was thrashed and thrown out. This led to the Complaint.

5. Learned counsel for the petitioner submits that he wanted to keep the family but failed and since they are residing separately, wants to economically support them by paying Rs.4000/- to the lady and Rs.1000/- each to the two children (Rs.6000/-), if relief is granted. Further, if he fails to pay by 10<sup>th</sup> of any month, the lady shall be free to take steps for cancellation of bail bond.

6. Learned APP opposes the prayer submitting that the allegation that has come against the petitioner including the fact that after the birth of second female child, they resorted to victim, no relief can be granted.

7. The allegation is there, it is unfortunate that even in the 21<sup>st</sup> century, the ladies are being thrown out/beaten after being blessed with female child. However, considering the fact that the petitioner wants to economically support the lady/children and as undertaken to take steps for uniting the family, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of



Rs.Rs.4000/- to the lady and Rs.1000/- each to the two children (Rs.6000/-).

8. It is made clear that if the payment is not made to the lady by 10<sup>th</sup> of any month, the lady shall be free to take steps for cancellation of bail bond.

9. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court 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 the like amount each in connection with Complaint Case No. 57 of 2022 to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Vaishali at Hajipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) 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 bail bond by the Trial Court itself;

(iii) 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;

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

**(Rajiv Roy, J)**

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