

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52532 of 2025

Arising Out of PS. Case No.-826 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Sujeet Kumar Mishra @ Sujeet Mishra Son of Shambhu Nath Mishra @
Shambhu Mishra village- Pinjroin, Po- Ramasadh, Ps- Sandesh, Dist- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Mishra @ Suman Devi Wife of Sujeet Mishra Village- Dhamniya,
Ps- Agiaon, (Garhani), Dist- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 17-01-2026 Heard Mr. Kumar Kaushik, learned counsel for the

petitioner duly assisted by Ms. Namrata Dubey and the State.

2. The petitioner is apprehending his arrest in connection with Bhojpur Complaint Case No. 826 (c) of 2023 for the offence under sections 498A, 504 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act lodged by the informant, Suman Mishra.

3. As per the complaint, the lady alleged that the marriage took place in the year 2016 but the in-laws always tortured her for dowry. In between, the couple was blessed with a daughter but the torture continued ultimately led to the deterioration of her health. In the year 2023, she was forcibly



thrown out of the house which followed the complaint.

4. In this case, the Coordinate Bench had issued notice to the opposite party no. 2, appearance is there through Mr. Ajay Kumar Singh but today on call, no one is there to make submission on behalf of the said opposite party no. 2.

5. Learned counsel for the petitioner submits that in the present complaint case, the parties came to an amicable settlement for the sake of eight years old daughter, the lady returned home and they were living happily. However, once again, she went out of the house in the year 2024 after minor scuffle which led to case and counter-case, one by the lady vide Sandesh P.S. Case No. 278 of 2024 and the other by the petitioner himself vide Sandesh P.S. Case No. 280 of 2024.

6. The submission is that though for the sake of the daughter, he wanted to continue the relationship but the attitude of the lady makes him feel uncomfortable and expects some unforeseen circumstance which may ruin his future. However, he knows about his responsibility and for the present, since the lady alongwith her daughter are living separately, he being a contractual employee with the Minor Irrigation Department, Bihar, Patna wants to contribute Rs. 8,000/- for the lady and Rs. 2,000/- for the daughter (totalling Rs. 10,000/-) which will go in



her bank account by tenth of every month and if he fails, the lady shall be free to take steps for cancellation of the bail bond if relief is granted.

7. Learned APP opposes the prayer submitting that the two cases have been filed, one the present complaint case and other the 2024 FIR which the petitioner has narrated, in that background, he is not entitled for the relief.

8. Taking into account the submissions of the parties as also the materials on record, allegation is there, petitioner has also filed a case, on his own, he is ready to part away Rs. 10,000/- for the family (Wife and Daughter) which will go in the bank account of the lady by tenth of every month, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

9. However, if the petitioner fails to pay the amount in her bank account by tenth of every month, the lady shall be free to take steps for cancellation of the bail bond.

10. 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, Civil



Court, Ara in connection with Bhojpur Complaint Case No. 826 (c) of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

Adnan/-

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