

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58574 of 2025**

Arising Out of PS. Case No.-101 Year-2024 Thana- MAHILA P.S. District- Bhojpur

Dasai Paswan S/o Sudama Paswan Resident of village - Bhatwalia, P.S.-  
Industrial Area, Dist.- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
  2. Sarita Devi W/o- Deepak Paswan Vill- Doghra PS Bihiya Dist- Bhojpur
- ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate  
For the Opposite Party/s : Mrs. Madhuri Lata, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

3      21-01-2026                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State. Despite valid service of notice and ordinary  
notice having been personally received by the opposite party  
no.2, the opposite party no.2 has chosen not to appear.

2.      The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 351(2),  
352, 115(2), 126(2), 85, 82(1) and 3(5) of the B.N.S.

3.      The case is under Section 498A of the I.P.C. with  
the allegation of subjecting opposite party no.2 to torture on  
account of non-fulfillment of dowry demand.

4.      The learned counsel for the petitioner submits that  
the petitioner denies the allegations made in the First  
Information Report as also of his contracting any second  
marriage rather he has made a specific statement in paragraph-  
11 that he is ready to keep his wife with due respect and dignity



and has also given an undertaking to such effect by Annexure-P/2. Furthermore, a matrimonial case for restitution of conjugal rights under Section 9 of the Hindu Marriage Act has also been filed by him.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that petitioner, who is husband, is agreeable on keeping his wife along with him with due respect and dignity, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Mahila P.S. Case No. 101 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

**(Soni Shrivastava, J)**

anand/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

