

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61295 of 2025

Arising Out of PS. Case No.-961 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Akhilesh Kumar Sahani @ Akhilesh Kumar Sahni S/o Asharfi Sahani R/o
Vill.- Rahtolli Tola Punma, P.S.- Hathouri Kothi, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Babita Kumari D/o Parbhu Sahani R/o Vill.- Hakimabad, P.S.- Samastipur
Mufassil, Dist.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 20-02-2026 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,

arises out of Complaint Case No. 961 of 2024, disclosing

offences under Sections 323, 341, 452, 307, 313, 504 and

498A of the I.P.C.

3. The petitioner is the husband. His marriage was

solemnized with the opposite party no. 2 in the year 2017.

The allegation against the petitioner is of attributing mental

as well as physical torture to the complainant-opposite party

no. 2 for want of dowry.



4. Learned counsel for the petitioner submits that petitioner is ready to keep his wife i.e. opposite party no. 2 with care, honour and dignity in her matrimonial home.

5. Learned counsel for the opposite party no. 2 submits that opposite party no. 2 is ready and willing to live along with petitioner in her matrimonial home subject to condition that she will not be tortured by the petitioner.

6. Considering the submissions made by the parties and the fact that both husband and wife are willing to live together, I am inclined to grant **provisional anticipatory bail to the petitioner for three months.**

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Samastipur, in connection with Complaint Case No. 961 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

8. If both husband and wife continues to live



together peacefully and files a joint affidavit before the learned court of Sub Divisional Judicial Magistrate, Samastipur, the concerned court below is permitted to confirm the provisional anticipatory bail granted by this court after three months.

(Anil Kumar Sinha, J)

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