

IN THE COURT OF SESSIONS JUDGE, BUXAR

A.B.P. No. 46 of 2026

[Arising out of Complaint Case No. 1231(C)2023]

Hiraman Sah, aged about 29 years, S/o Shyam Bihari Sah
R/o Village- Jawahi Diyar, Police Station- Haldi, District- Ballia (U.P.)
..... Petitioner

Versus

State of Bihar Respondent

Ld. Public Prosecutor for the State: Sri Kedar Nath Tiwari.
Ld. Counsel for the Petitioner: Sri Dhiraj Kumar, Ld. Adv
Ld. Counsel for the complainant: Sri Shashikant Upadhyay, Ld. Adv.

Present: Kajal Jhamb,
Sessions Judge, Buxar.

Date of Order: 17th March, 2026

Anticipatory Bail Petition filed on behalf of petitioner named above, who is apprehending his arrest in connection with **Complaint Case No. 1231(C)2023** wherein the learned Trial Court has found prima facie case u/s 498(A) I.P.C. against the petitioner is put up and moved today.

Copy of the bail petition has already been served to the Learned Public Prosecutor for the State.

Learned Counsel for the petitioner certifies that no other bail petition has ever been filed on behalf of the petitioner in this matter either before this Court or before any Superior Court. The petitioner has no criminal antecedent. Prosecution has no objection to the submissions.

The Counsel further submits that the petitioner is quite innocent and has committed no offence to attract the provisions of law rather he has been falsely implicated in present case. The petitioner has neither tortured nor assaulted the complainant for demand of anything in dowry. The petitioner has already filed a case of Section 9 Hindu Marriage Act before Principal Family Court Gautam Budh Nagar (U.P.) which was settled in Lok Adalat. The complainant has solemnized marriage with one Man Singh and there is a child with him. The complainant has also taken more than two lakh from the petitioner. Despite the same, the petitioner is ready to keep his wife with honor and dignity if she desires to live with the petitioner. Therefore, petitioner deserves to be enlarged on regular bail.

Learned Public Prosecutor for the State opposes the Bail Petition on the ground of nature and seriousness of offence. He further submits that Cognizance in the case has been taken by the learned Trial Court on 20.01.2025. The process u/s 82 of

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Cr.P.C. has also been issued against the petitioner in the case and the record is pending for appearance of petitioner.

Learned Counsel for complainant submits that the matter was sent to Mediation Center, Buxar but the mediation between parties failed.

Prosecution case in brief is that complainant Asha Devi filed the present complaint case against 1. Hiranman Sah (petitioner), 2. Shyam Bihari Sah, 3. Bebi Devi @ Chhathi Devi, 4. Sunin Sah and 5. Tarkeshwar Sah alleging therein that, her marriage was solemnized with the petitioner on 05.12.2022. On 06.12.2022, she went to her matrimonial home, where she lived well for twelve days only. Thereafter, she went to Noida along with her husband. Where her husband used to come along with a girl namely Rupali. One day, the complainant found her husband and Rupali with in a compromising position. On objection, her husband started assaulting her and ousted her. On 27.08.2023 the accused persons including the petitioner assaulted and ousted the complainant for not fulfilling demand of dowry and abortion of her child.

Heard learned Counsels of both the parties and perused the trial court record. The record shows that learned Trial Court has taken cognizance of offence u/s 498(A) I.P.C. against the petitioner on 20.01.2025. Since, then the record is pending for his appearance. As per order dated 25.07.2025 process u/s 82 of Cr.P.C. has been issued against the petitioner.

Thus, considering the submissions of both sides and facts and circumstances of the case, I am not inclined to release the petitioner on anticipatory bail. Accordingly, present anticipatory bail petition of petitioner **Hiranman Sah** is hereby **disposed of** with a direction to the petitioner to surrender before learned Trial Court and seek regular which shall be decided by learned Trial Court without being prejudiced by this order.

Dictated
Sd/- Kajal Jhamb
Sessions Judge, Buxar
17-03-2026

Date of Order	17.03.2026
Date of uploading	23.03.2026
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