

COURT OF 3rd DISTRICT & ADDITIONAL SESSIONS JUDGE, MUZAFFARPUR
{A.B.P. No. 1995/2026}
Prakash Rajak & Ors. Vs State of Bihar

Page 1 of 2

1. Prakash Rajak, aged about- 35 years, S/o- Harideo Baitha;
2. Harideo Baitha, aged about- 59 years, S/o- Rajeshwar Baitha;
3. Moni Devi, aged about 55 years, W/o- Harideo Baitha.
All R/o- Village- Balan Tola, P.S.- Runni Saidpur,
Distt.- Sitamarhi.....Petitioners.
Vs.
State of Bihar.....Opposite Party.

ORDER

07.07.2026. Instant application for grant of anticipatory bail has been filed on behalf of petitioners named above who apprehend their arrest in connection with Complaint P.S. Case No. 1662/2016 in which summons against the petitioners have been issued under offences punishable U/s. 498A of I.P.C. and section 4 of Dowry Prohibition Act.

Heard Mr. Sidhi Nath Mishra, learned advocate for the petitioners as well as Ms. Sangita Sahi, learned Addl. P.P. for the State. However, no one has appeared on behalf of complainant and registered notices issued to the complainant at the addresses mentioned in the complaint petition for appearance of complainant has returned with endorsement insufficient address.

Allegation against the petitioners, in brief, is that they used to demand Rs. 1,25,000/- as dowry and torture her for that and finally, they drove complainant out of their house on 29.07.2016.

Learned advocate for the petitioners has submitted that petitioners are quite innocent. They have no criminal antecedents and no bail petition has been filed earlier on their behalf before either this court or the Hon'ble High Court, Patna. Allegation against them is totally false. Petitioner no. 1 is husband; petitioner no. 2 is father-in-law and petitioner no. 3 is the mother-in-law of the complainant. Learned advocate has submitted further that petitioner no. 1 husband is ready to keep complainant with full dignity and honour. Hence, they may be granted anticipatory bail.

Learned Addl. P.P. for the state has vehemently opposed the prayer for anticipatory bail.

COURT OF 3rd DISTRICT & ADDITIONAL SESSIONS JUDGE, MUZAFFARPUR
{A.B.P. No. 1995/2026}
Prakash Rajak & Ors. Vs State of Bihar

Page 2 of 2

Contd..... Perused the certified copy of complaint petition, trial court record and also
07.07.2026 documents filed on behalf of the petitioners.

After hearing learned advocates from both sides and perusing the documents mentioned above, this court finds that marriage between the complainant and petitioner no. 1 has been solemnized in the year 2015 and the complainant is also not doing pairavi before the trial court since 2017. Registered notices issued against her has returned and allegations against the petitioners do not appear to be serious.

So, considering the nature of allegation against the petitioners in the complaint petition and other facts discussed above, this court is inclined to grant petitioners anticipatory bail.

Accordingly, in the event of arrest or surrender within 30 days of passing of this order, petitioners are directed to be released on their furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of the learned concerned court .

Let a copy of this order be forwarded to the court of S.D.J.M., Muzaffarpur (East)
for information & needful.

Dictated.
Sd/-
(Awdesh Kumar)
3rd Addl. Sessions Judge
Muzaffarpur.