

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10748 of 2025

Arising Out of PS. Case No.-74 Year-2024 Thana- NADI P.S. District- Patna

Mithlesh Kumar @ Mithilesh Kumar S/o Late Anil Das R/o vill - Janakharg
Digha, P.O. and P.S.- Digha, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumari D/o Raj Kumar Das R/o vill - Jethula, P.O. - Kacchi
Dargah, P.S.- Nadi, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok, Adv.
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP
For the informant	:	Mr. Amitesh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 04-07-2025 Heard Mr. Alok Kumar Alok, learned Counsel for the
petitioner and Mr. Amitesh representing the informant.

2. The petitioner apprehends his arrest in connection
with Nadi P.S. Case No. 74 of 2024 for the offence registered
under sections 498A, 34 of the IPC and Section 3/4 of Dowry
Prohibition Act lodged on 06.03.2024 by the informant,
Manisha Kumari.

3. As per the prosecution story, the informant alleged
that they got married in the year 2021 but was tortured for
dowry and as it became unbearable, had no option but to lodge
FIR.

4. In this case, the couple appeared on 12.05.2025 as



also on 14.05.2025, the lady was not ready to continue with her marriage, in that background, it was decided that the petitioner will be returning all the items which he had received at the time of marriage beside Rs. 3,00,000/-.

5. Today, upon call, though the petitioner is absent, the lady is present and she has acknowledged that though in a bad condition, the items have been returned to her. She also has complained regarding the ear ring which according to her, is a different one.

6. Mr. Alok Kumar Alok has provided an agreement paper to show that the lady has signed document on 03.06.2025 in the presence of the Panchayat and acknowledges receipt of the materials beside the educational certificate. The complaint is that the P.A.N. Card is still with the petitioner.

7. Mr. Alok Kumar Alok submits that if the contention is correct, he shall ensure that the same is returned immediately.

8. The further grievance is that now that she is taking a different route in her life, the petitioner has posted her photo in his facebook account.

9. Learned counsel, Mr. Alok Kumar Alok undertakes that if he has posted any photo of the lady and/or all the photos of the lady on his facebook account shall be deleted



immediately.

10. This Court accepts the words of the learned counsel for the petitioner.

11. Taking into account the aforesaid facts, now that the lady is not ready to reside, a Panchayati had taken place, she has received the materials, in that background, FIR is there, the petitioner will be facing the music, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

12. It goes without saying that now they have decided to take separate path, an appropriate petition shall be filed by them before a Competent Civil Court in accordance with law.

13. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna City in connection with Nadi P.S. Case No. 74 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official



document to show his *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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

