

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9776 of 2025

Arising Out of PS. Case No.-1415 Year-2022 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Kumar Amit Son of Late Virendra Kumar Resident of village - Bankatwa,
P.S.- Jitna, District - East Champaran presently resident of village behind
Central University Balisaraya, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Rani Wife of Kumar Amit Daughter of Manoj Kumar Yadav,
Resident of House No.- 1, Nahak Yadav Bhawan, Tripolia, Pathri Ghat,
Guljarbagh, P.S.- Alamganj, District - Patna, Pin Code - 800007.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Md. Iftekhar Mahmood, APP
For the Complainant	:	Mr. Arvind Kumar Mouar, Adv.
		Mr. Raj Krishna Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 15-05-2025 Heard learned counsel for the petitioner, learned
A.P.P for the State and learned counsel for the complainant.

2. The petitioner seeks bail in connection with
Complaint Case No. 1415 of 2022 instituted for the offence
punishable under Sections 323, 324, 325, 354, 354A, 354B,
354C, 376, 377, 498A, 506 and 509 of the Indian Penal
Code, $\frac{3}{4}$ Dowry Prohibition Act and Sections 66(E), 67,
67A and 72 of the I.T. Act in which cognizance has been
taken only under Section 323 and 498A of the I.P.C. and
Section $\frac{3}{4}$ of the D.P. Act.



3. The allegation against the petitioner is that he along with other accused persons use to torture and harass the complainant due to non-fulfillment of dowry demand.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is the husband of the complainant. It is submitted that the complaint case was lodged under Sections 323, 324, 325, 354, 354A, 354B, 354C, 376, 377, 498A, 506 and 509 of the Indian Penal Code, $\frac{3}{4}$ Dowry Prohibition Act and Sections 66(E), 67, 67A and 72 of the I.T. Act but cognizance has been taken only under Section 323 and 498A of the I.P.C. and Section $\frac{3}{4}$ of the D.P. Act. It is submitted that against the said cognizance order, the complainant has not filed any revision or appeal for addition of other sections which has been mentioned in the complaint case. It is submitted that before the order of cognizance, the petitioner has filed a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. It is further submitted that the petitioner is ready to keep his wife (complainant) with full dignity and honour. Lastly, it has been submitted that the petitioner is in



custody since 03.12.2024, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. On the other hand, learned counsel for the informant vehemently oppose the prayer for bail of the petitioner and placed solemn affirmation of the complainant which reveals that indecent act was committed by the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna City, Patna in connection with Complaint Case No. 1415 of 2022.

(Khatim Reza, J)

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