

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15266 of 2025

Arising Out of PS. Case No.-1849 Year-2019 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

Nirmal Kumar Son of Gorakh Nath Singh village- Chaia Chak Shivpur, Ps-
Agion Garhani, Dist- Bhojpur Petitioner/s

Versus

1. The State of Bihar
2. Pushpa Kumari Wife of Nirmal Kumar village- New Colony Pakari, Ps-
Nawada Ara, Dist- Bhojpur Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Bhushan Singh, Advocate
For the Complainant	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-07-2025 Heard Mr. Chandra Bhushan Singh, learned counsel
for the petitioner, Mr. Anil Kumar, learned counsel for the
Complainant and Mr. Bhanu Pratap Singh, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1849 (c) of 2019 for the
offences punishable under Sections 323, 341, 379, 498(A), 504,
506, 34 of Indian Penal Code.

3. As per the Complaint Petition, the complainant was
subjected to abuse and assault by the petitioner due to non-
fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the Complaint Petition is false and fabricated and the petitioner has not committed any offences as alleged in the Complaint Petition. The allegation with respect to second marriage of the petitioner is false and the petitioner is ready to keep the Complainant as his wife with full honour and dignity.

5. The learned Additional Public Prosecutor and learned counsel for the Complainant have vehemently opposed the prayer for bail of the petitioner.

6. Learned counsel for the Complainant submits that in view of the present situation that the petitioner has performed second marriage, the Complainant is not ready to live with the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Complaint Case No. 1849 (c) of 2019, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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