

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14030 of 2025

Arising Out of PS. Case No.-131 Year-2024 Thana- MADANPUR District- Aurangabad

Nitish Kumar Pandey @ Nitish Pandey, S/O Yaduwansh Pandey, R/O Vill.-
Khap Sarora, P.S.- Panki, Dist.- Daltanganj. Jharkhand.

... .. Petitioner

Versus

1. The State of Bihar
2. Aradhana Kumari, wife of Nitish Kumar Pandey, D/o Devnandan Pathak,
Resident of Village- Khap Sarora, P.S.- Panki, District- Daltanganj (Palamu)
Jharkhand at present residing at Resident of Village- Dadhapi, P.S.-
Madanpur, District- Aurangabad, Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shailesh Kumar Singh, Advocate.
For the State	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Madanpur P.S. Case No. 131 of 2024, dated
27.03.2024 registered for the offences punishable under
Sections 323, 504, 506, 498-A of the Indian Penal Code and
Section 3 of Dowry Prohibition Act, 1961.

3. As per allegation, the marriage has been solemnized
between the petitioner and the informant in April, 2023 as per
Hindu rites and customs. However, soon thereafter, marriage
started running into rough weather on account of non-fulfillment
of additional demand of dowry as well as personal dislike of the



petitioner for the informant/wife because she has black skin. There is also allegation of threat by the petitioner to get remarried.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no truth in the allegation of demand of dowry and cruelty thereto or any dislike of the petitioner for the informant. He also submits that in fact, the informant/wife is a short tempered lady and due to wear and tear of married life, she get annoyed and has left the matrimonial home at her own. He also submits that the maximum punishment prescribed in the alleged offence is three years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No. 131 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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