

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18723 of 2023

Arising Out of PS. Case No.-436 Year-2020 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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ABHISHEK KUMAR SON OF RAM NARESH SINGH R/O VILLAGE-
HARAULI, DAULATPUR, CHANDI, P.S.- HAZIPUR SADAR, DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. NEHA KUMARI WIFE OF ABHISHEK KUMAR R/O PRESENT
ADDRESS D/O SH. NAGESHWAR RAI, VILLAGE- EAST BHELARI,
P.S.- NATWAR, DISTRICT- ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 23-09-2025 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 436 of 2020, registered for the
offences punishable under Section 498A of the IPC and Section
3/4 of Dowry Prohibition Act.

3. The complainant, Neha Kumari, made allegation
that her marriage was solemnized with the petitioner on
28.01.2013. A child was born out of wedlock of the couple.
Thereafter, the accused persons including the petitioner, started
to demand a Swift Dzire Car as dowry. They tortured her



physically and mentally. Lastly, her father brought her to her parental house.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. The entire allegations are false. The petitioner is ready to keep the complainant with full dignity and honour, but she was making pressure upon the petitioner to leave his old mother and only then, she would be ready to reside with the petitioner. It has further been submitted that the petitioner has filed a case for restitution of conjugal rights under Section 9 of the Hindu Marriage Act, 1955 and after eight months of receipt of notice in that case, she has filed the present bail petition.

5. On the other hand, the learned APP for the State and the learned counsel for the complainant have opposed the prayer for bail and submitted that the petitioner inflicted mental and physical atrocities on the complainant that is why she is not ready to reside with her husband.

6. The present complaint petition has been filed after eight months of receipt of notice in the case of restitution of conjugal rights, filed by the petitioner.

7. Considering the above-mentioned facts and



circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st Bikramganj, Rohtas/ court below in connection with Complaint Case No. 436 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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