

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18757 of 2025

Arising Out of PS. Case No.-1325 Year-2023 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Vikash Kumar Pandey S/o- Janardan Pandey Village- Churamanpur Ps- Buxar
Ind. Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 13-08-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 1325 (C) of 2023, disclosing offences under Sections 498A of the Indian Penal Code.
3. The prosecution case, as per the complaint case, is that the marriage of the complainant was solemnized with the petitioner on 27.04.2018. Thereafter, the complainant went to her matrimonial home and at the time of marriage gift and other articles worth Rs. 3 Lakh was given to the petitioner. After some time, the petitioner and other accused persons started torturing the complainant physically and mentally due to non-fulfillment of further



demand of dowry. The complainant gave birth to a male child at her parental home and at that time also the petitioner refused to pay medical expenses. The complainant lodged a complaint case, bearing Complaint Case No. 185 of 2022 in the Court. Thereafter, the accused persons entered into compromise on 14.03.2022 and promised to keep her properly, but the complainant was ousted from her matrimonial home on 13.03.2025.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to matrimonial discord. The husband is not well educated, whereas, the wife-complainant is well educated having degree in B.Ed. He next submits that the petitioner still wants to keep her wife-complainant with him, but in the mediation, the wife-complainant has refused to stay with the petitioner-husband.
5. On the other hand, learned counsel for the complainant vehemently opposes the prayer for anticipatory bail and submits that there is allegation of torture and demand of dowry against the petitioner. He next submits that out of wedlock, a male child has born to the complainant. The complainant has filed maintenance case, bearing



Maintenance Case No. 50 of 2024, before the Principal Judge, Family Court, Buxar. Consequential, maintenance for a sum of Rs. 7000/- in favour of the complainant-wife and Rs. 3000/- for her child has been awarded, but nothing has been paid by the petitioner.

6. Learned counsel for the petitioner, in reply, submits that the petitioner had no knowledge of the order passed by the Family Court, Buxar, awarding interim maintenance of Rs. 7,000/- and Rs. 3,000/-.
7. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that there appears to be matrimonial discord between the husband-petitioner and wife-complainant, I am inclined to grant the petitioner privilege of anticipatory bail.
8. This application is, accordingly, allowed.
9. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Compliant Case



No. 1325 (C) of 2023, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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