

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21925 of 2025

Arising Out of PS. Case No.-806 Year-2023 Thana- HILSA District- Nalanda

Rajiv Kumar Son of Late Birendra Kumar Yadav @ Late Birendra Prasad
R/O- Village- Malbigha, P.S.- Hilsa, District- Nalanda while presently
residing at Bareilly, Rudrapura, P.S.- Rohailkhand, District- Bareilly, Uttar
Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Kumari W/O- Sri Rajiv Kumar, D/O- Sri Dinesh Prasad R/O-
Malbigha, P.O.- Kaliyachak, P.S.- Hilsa, Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Neeraj Kumar, Advocate Mr. Sudhanshu Trivedi, Advocate
For the State	:	Mr. Manoj Kumar, APP
For Opposite Party No.2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Despite valid service of notice, nobody appears on
behalf of the Opposite Party No. 2.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 498A, 504, 506 and 34 of the Indian Penal Code and
Sections 3 and 4 of the Dowry Prohibition Act.

4. The prosecution case, in brief, is that marriage of
informant was solemnized with this petitioner on 10.03.2017 as
per Hindu rites and rituals. It is alleged that soon after the



marriage, all the accused persons named in the F.I.R., including this petitioner, subjected the informant to torture and harassment due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner happens to be husband of the informant and present case has been lodged due to petty family dispute. There is general and omnibus allegation. As a matter of fact, the petitioner at no point of time demanded any dowry or committed torture. As a matter of fact, even not, entire rent of around Rs. 10,000/- is being realized by the informant from the house of this petitioner situated at Hilsa and used by her towards maintenance for which petitioner has never made any objections. It is further submitted that petitioner is ready to keep the informant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, learned counsel for the petitioner has relied upon a judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar***, reported in **2006(3) PLJR 182**. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of petitioner.

7. Considering the aforesaid facts and circumstances



of the case and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

8. Accordingly, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa (Nalanda) in connection with Hilsa P.S. Case No. 806 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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