

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26736 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- HISUWA District- Nawada

Vinod kumar @ Binod Kumar S/o Shivnandan Prasad R/o Mohalla -
Mirzapur, Line Par, Near Surya Mandir, Gondapur, P.S.- Nawada, Distt.-
Nawada

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sakshi Kumari W/o Vinod Kumar, D/o Ram Pravesh Mahto R/o vill - Hisua,
P.S.- Hisua, Distt.- nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Ojha, Advocate Mr. Ved Prakash Chandan, Advocate
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends arrest in connection with
Hisua P.S. Case No. 20 of 2025 dated 14.01.2025 instituted for
the offence punishable under Sections 498(A), 379, 494/34 of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

3. The prosecution case, in short, is that on
04.03.2017, the marriage of the informant was solemnized with
the petitioner. It is alleged that after marriage, the petitioner and
his family members started torturing and assaulting the
informant for additional dowry. It is alleged that her mother-in-



law snatched her jewelleryes and sent her to *Maike*. It is also alleged that the petitioner performed his second marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner and the informant/O.P. No. 2 filed mutually a divorce petition bearing Matrimonial Case No. 310 of 2022 before learned Principal Judge, Family Court, Nawada. On mutual agreement, the petitioner deposited demand draft of Rs. 5,50,000/- in favour of the informant on 27.09.2022 in the court of Principal Judge, Family Court, Nawada. Learned counsel for the petitioner also submits that earlier the petitioner filed a case bearing Matrimonial Case No. 258 of 2017 for restitution of conjugal rights. It is also submitted that both the parties have mutually agreed to dissolve marriage by mutual consent and a sum of Rs. 5.5 lakhs was to be paid by the petitioner to the informant. Thereafter the aforesaid matrimonial case No. 310 of 2022 was filed, but due to non-appearance of the informant, the said case was dismissed for default vide order dated 11.12.2024. Thereafter the present F.I.R. has been lodged by the informant. Lastly, it has been submitted that petitioner has no criminal antecedents.



5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Hisua P.S. Case No. 20 of 2025, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-IV, Nawada subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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