

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23324 of 2025

Arising Out of PS. Case No.-735 Year-2024 Thana- DHANARUA District- Patna

CHANDAN KUMAR S/o KIRAN YADAV R/o Vill.- Chakrahiya, P.S.-
Gaurichak, Dist.- Patna, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Beauty Kumari D/o Ajit Kumar R/o Vill.- Ramnagar, P.S.- Dhanarua, Dist.-
Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh, Advocate.
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP.
For the Informant : Mr. Suryadeo Prasad Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 20-08-2025 Heard Mr. Shambhu Narayan Singh, learned counsel

appearing on behalf of the petitioner; Mr. Suryadeo Prasad

Singh, learned counsel for the informant and Mr. Pradeep

Narain Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Dhanarua P.S. Case No. 735 of 2024 registered for the
offence punishable under Sections 316(2), 318(4), 61(2) and 69
of the BNS, 2023.

3. As per the allegation made in the F.I.R., on the
pretext of marriage, co-accused Dipak Kumar who is the brother
of the petitioner had established physical relationship with the
informant and refused to marry and also usurped Rs. 5 lacs from



the father of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is the own brother of the co-accused Dipak Kumar and said Dipak Kumar had refused to marry with the informant. The petitioner had no concern with the relationship between the informant and his brother being their private affair, who are adult.

5. Mr. Suryadeo Prasad Singh, learned counsel appearing on behalf of the informant vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submitted that the complicity of the petitioner who is the own brother of the main accused Dipak Kumar in the alleged offence cannot be denied that he has not demanded money which led to lodging of the F.I.R.

6. Learned APP for the State has also opposed the prayer for grant of pre-arrest bail to the petitioner.

7. Having considered the rival submissions made on behalf of the parties, as well as, the nature of allegation made in the F.I.R. against the petitioner who is the brother of the main accused Dipak Kumar who was in relationship with the informant continuously till the date of lodging of the F.I.R. during which period, co-accused had established physical



relationship with the informant and refused to marry for which the petitioner cannot be held to be liable. I find that the petitioner has, *prima facie*, made out a case to be released on bail.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Masaurhi, Patna in connection with Dhanarua P.S. Case No. 735 of 2024, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

9. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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