

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25646 of 2025

Arising Out of PS. Case No.-3 Year-2024 Thana- MAHILA PS District- Darbhanga

Amit Kumar @ Amit Kumar Singh S/o Ram Subodh Singh R/o Vill./Muhalla-
Tarauni, P.S.- Bahadurpur, Distt.- Darbhanga

... .. Petitioner

Versus

1. The State of Bihar
2. Ansu Kumari W/o Amit Kumar Singh, D/o Ram Balak Singh R/o Vill./Muhalla- Tarauni, P.S.- Bahadurpur, Distt.- Darbhanga

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Kedar Jha, Advocate
For the State	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Mahila P.S. Case No.3 of 2024, dated- 06.01.2024, registered for the offences punishable under Sections 498A, 323, 313, 511, 379, 34 of the Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

3. As per allegation, after marriage, additional demand of dowry started and on account of non-fulfillment of the same, she has been subjected to cruelty and ultimately she was ousted from her matrimonial home along with two minor children. He is also not taking her back to his matrimonial home nor he is



paying any maintenance to the informant/wife and children.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no truth in the allegation of demand of dowry and torturing therefor. As a matter of fact, on account of normal wear and tear of marred life marriage is not working and this false case has been filed. He further submits that he is willing to keep his wife and children with him and he is also ready to maintain them.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State as well as learned counsel for the Informant vehemently oppose the prayer of the Petitioner for bail submitting that the petitioner is cruel towards his wife and children and he is not keeping them with him nor is he paying any maintenance to them.

8. In view of the rival submissions of the parties, it appears that there is matrimonial dispute between the parties, and the best course of legal action for the informant/wife is to



move Family Court for maintenance as well as restitution of conjugal rights, if the petitioner does not take his wife and children to his matrimonial home.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Mahila P.S. Case No.3 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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