

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28583 of 2025

Arising Out of PS. Case No.-1711 Year-2023 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Amit Kumar S/o Kallu Prasad @ Kalu Prasad R/o vill - Kugap, P.O - Kugapi,
P.S. - Chandauti, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Asmita Kumari W/o Amit Kumar R/o vill - Kugap, P.O. - Kugapi, P.S.-
Chandauti, Distt.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Helal Ahmad, Advocate
For the State : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 1711 of 2023, dated
18.12.2023, filed for the offences punishable under Sections
341, 323, 498(A), 504 and 506/34 of the Indian Penal Code and
Section 3/4 of D.P. Act.

3. As per allegation, there was demand of additional
dowry subsequent to the marriage and on account of non-
fulfillment of the same, the complainant/wife was subjected to
torture by the husband/petitioner.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the petitioner is unemployed, whereas the complainant/wife is a constable in Bihar Police. He further submits that parents of the petitioner are old and bedridden and they need assistance of the petitioner, but the complainant/wife wants him to be with her at the place of posting and hence, this false case has been filed to harass the petitioner.

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 one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. 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 Complaint Case No. 1711 of 2023, subject to the conditions as laid down under Section 482 (2) 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 other than the disclosed one, 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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