

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33876 of 2025**

Arising Out of PS. Case No.-181 Year-2024 Thana- Kadirganj P.S. District- Nawada

Surendra Kumar S/o- Brahmdev Mahto Resident of Village- Pachohiya, P.S.-  
Kadirganj, District- Nawada,

... .. Petitioner

Versus

1. The State of Bihar
2. Sangita Kumari D/o- Ashok Prasad @ Ashok Mahto Village- Kabla Ps-  
Pakribarawan Dist- Nawada, P/A- Village- Pachohiya, P.S.- Kadirganj,  
District- Nawada,

... .. Opposite Parties

**Appearance :**

|                    |   |                               |
|--------------------|---|-------------------------------|
| For the Petitioner | : | Mr. Man Mohan Kumar, Advocate |
| For the State      | : | Mr. Binod Kumar, APP          |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      20-08-2025                                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,  
in connection with Kadirganj P.S. Case No.181 of 2024, dated-  
23.08.2024, registered for the offences punishable under  
Sections 85, 82(1), 351(3) and 3(5) of the B.N.S., 2023.

3. As per allegation, marriage between the Informant  
and the Petitioner was solemnized on 06.11.2022 as per Hindu  
Rites and Customs. The marriage is running into rough weather  
on account of non-fulfillment of the additional demand of  
dowry. It is further alleged that the Petitioner is not treating the  
Informant as his wife and he is not maintaining her. It is also  
alleged that the Petitioner/husband is stating that he has



solemnized second marriage and he will not keep the Informant.

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, there was no marriage solemnized between the parties as per Hindu Rites and Customs, in fact, the Petitioner was abducted and he was forcibly made to put vermilion on the head of the Informant. Hence, the Petitioner has also filed matrimonial case before the Family Court just after marriage for declaring that no marriage has been solemnized between the Informant and the Petitioner, and hence, as a counterblast, the present false case has been filed by the Informant.

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 vehemently opposes the prayer of the Petitioner for bail.

8. Considering the dispute between the parties regarding marriage and the matrimonial petition filed by the Petitioner against the Informant, **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 Kadirganj P.S. Case No.181 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.)**

Chandan  
Ajay/-

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