

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33935 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- MAHILA P.S. District- Rohtas

Akshay @ Akshay Kumar @ Akshay Kumar Gupta Son of Ram Prasad Gupta
R/o - Dakshin mohalla, Ward No.24, Bhabhua, P.S - Bhabhua, District -
Rohtas

... .. Petitioner

Versus

1. The State of Bihar
2. Moni Kumari Daughter of Banshidar Sah village- Gandhi nagar, Ward no. 4,
Ps- Kochas, Dist- Rohtas.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Sanjay Kumar Tiwary, Advocate
For the State	:	Mr. Shyam Bihari Singh, 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 Mahila P.S. Case No.06 of 2024, dated-
05.04.2024, registered for the offences punishable under
Sections 323, 498(A), 504/34 of the Indian Penal Code and
Section 3/4 of the D.P. Act.

3. As per allegation, the marriage between the
Petitioner and the Informant was solemnized as per Hindu Rites
and Customs on 19.02.2022 and subsequent to the marriage, the
informant joined the matrimonial home of the Petitioner.
However, as per further case, on account of non-fulfillment of



the additional demand of dowry she was ultimately ousted from his matrimonial home.

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, prior to the present Criminal case the Petitioner has filed divorce petition against the Informant/wife on account of adultery, and as a counterblast this false case has been filed.

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 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.06 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/-

U		T	
---	--	---	--

