

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35837 of 2025

Arising Out of PS. Case No.-6166 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Dhiraj Kumar S/o Ram Agya Ray R/o Village- Raipura, P.S.- Fathua, District-
Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari W/o Dhiraj Kumar Daughter of KarmPal Rai, permanent resident of Ashok Nagar, Ram Lakhan Path, P.S.- Kankarbagh, District- Patna presently residing at Village- Gopalpur, P.S.- Udakishunganj, District- Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan, Adv. Mr. Satyendra Kumar Bhatnagar, Adv. Mr. Arvind Srivastav, Adv. Mr. Krishna Murari Prasad, Adv.
For the Opposite Party/s :		Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 21-11-2025 Heard learned Counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 6166(c) of 2024 for the offence
registered under sections 498A and 323 of the IPC.

3. As per the case in hand, the lady who is a Teacher
was married to the petitioner in the year 2009 but was tortured
for dowry. In between, two children arrived in this world.
Earlier, the complainant got a job of Constable in the year 2018
whereafter, the petitioner started demanding money. She



therefore took loans but the torture continued even after she was selected as a Teacher in the year 2024. Later, the husband came to the complainant's place with an intention to kill her. Left with no option, the case.

4. Learned Counsel for the petitioner submits that they are married for more than a decade, wanted to live together, marital life has now drifted apart.

5. Learned counsel for the informant on the other hand counters the same and submits that both financially as also physically, she was tortured and at times, assault took place. Further, 24X7, she was mentally tortured. By way of counter affidavit, it has also been provided that fed up with the threats coming from different mobile numbers, the lady went to the Kankarbagh Police Station on 23.10.2025 but the Police Officers chose not to entertain the petition.

6. In that background, the SHO, Kankarbagh was summoned. He has realized his mistake that on 23.10.2025, when the lady approached, timely steps were not taken, the contention is that later and after the order passed on 12.11.2025, preliminary enquiry was done.

7. This Court cautions the SHO, Kankarbagh Police Station, Mr. Abhay Kumar to be careful in future and anyone



visiting the Police Station with a complaint has to be taken up seriously. All the rules/regulations/law is/are available in law under which he/she has to act. He simply cannot refuse to entertain any complaint made.

8. So far as the case is concerned, upon instruction, learned counsel for the petitioner submits that sending him to jail will not serve any purpose. He wants to take up his responsibility. As his two children are studying in Gurukul School, Hajipur in Class 7th and 9th, for their fees/clothes/convenience, he undertakes to pay Rs. 3,000/- each (Rs. 6,000/-) per month.

9. Further, the undertaking is that he shall be paying the amount by 10th of every month in the account of the lady failing which the Court concerned shall take steps for the cancellation of the bail bond, if relief is extended to him.

10. Allegation is there, the petitioner has continued with the torture which reflects from the counter affidavit that even on 23.10.2025, the lady had to move to the Police Station.

11. However, for the sake of the family and with the hope that in future, they may come to terms for the sake of their two children, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of



Rs. 3,000/- each (totaling Rs. 6,000/-) per month in the account of Mrs. Kanchan Kumari with the following details:

Account No. 20476507292

Bank- State Bank of India;

Branch- Ramkrishna Nagar, Patna

IFSC- SBIN0015605.

12. Failure to pay the amount by 10th of the month lady/Court shall be free to take steps for the cancellation of the bail bond.

14. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna in connection with Complaint Case No. 6166(c) of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

14. The personal appearance of SHO, Kankarbagh, Mr. Abhay Kumar is dispensed with.

(Rajiv Roy, J)

Vijay Singh/-

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