

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37060 of 2025

Arising Out of PS. Case No.-162 Year-2023 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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1. Dilip Kumar S/O Umesh Bind R/O Village- Jhunath, P.S- Parasbigha, Distt.- Jehanabad.
 2. Umesh Bind S/O Late Aklu Bind R/O Village- Jhunath, P.S- Parasbigha, Distt.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Kumari D/O Nawal Kishor Bind R/O Village- Mahamdpur, P.O- Ghowadiha, P.S- Kudaganj, Distt.- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar
For the State	:	Mr.Sanjay Kumar
For Opposite Party No. 2:	:	Mr. Rajnish Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 25-06-2025
1. Heard learned Counsel for the petitioners, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 162 of 2023, in which cognizance has been taken for the offences punishable under Section 498-A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.
 3. The prosecution case, as per the complaint filed by the Opposite Party No. 2, is that the marriage of the petitioner no. 1 was solemnized with the Opposite Party No. 2 on



29.5.2021 and out of their wedlock, one child was born. It has been alleged that the petitioners, along with other co-accused persons, told the Opposite Party No. 2 to bring Rs. 1,00,000/- from her parental home, and due to non-fulfillment of the said demand, the Opposite Party No. 2 was tortured, both mentally and physically, and lastly, on 20.03.2023, she was ousted from her matrimonial home after snatching all her ornaments.

4. Learned Counsel for the petitioners submits that the petitioner no. 1 is the husband and the petitioner no. 2 is the father-in-law of the Opposite Party No. 2. He further submits that there is general and omnibus allegation against the accused persons. He further submits that the complainant-Opposite Party No. 2 has filed the present complaint petition on 22.03.2023 and prior to that, on 10.08.2022, the petitioner no. 1 has filed Matrimonial Case No. 116 of 2022 under Section 9 of the Hindu Marriage Act.
5. On the other hand, learned Counsel for the Opposite Party No. 2 opposes the prayer for bail and submits that the petitioners used to torture the Opposite Party No. 2 both, mentally and physically, due to non-fulfillment of the



dowry demand and the petitioner no. 1 has solemnized second marriage with one Sakli Kumari.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioner no. 2, who is the father-in-law of the Opposite Party No. 2, I am inclined to grant the petitioner no. 2 privilege of anticipatory bail.
7. This application, so far as petitioner no. 2 is concerned, is allowed.
8. Let the petitioner no. 2, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Hilsa, Nalanda, in connection with Complaint Case No. 162 of 2023.
9. However, considering the fact that there is specific allegation against the petitioner no. 1, who is the husband of the Opposite Party No. 2, and from perusal of the impugned order, it is evident that the petitioner no. 1 has



admitted that he has solemnized second marriage, I am not inclined to grant the petitioner no. 1 privilege of anticipatory bail.

10. This application, so far as petitioner no. 1 is concerned, is dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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