

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39548 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Avinash Prakash, son of Jai Prakash Narayan, village- Ward no. 20, I.M. No. 27/28 New Diliya, P.S- Dehri On Sone, Dist- Rohtas, At P/A-Nawadih, Sun Shivam Apartment, 4th Floor Flat No. e, Inside of Shyamli Hotel, Nawadih, Dharjori, P.O.- Shramik Nagar, P.S - Dhanbad, Dist- Dhanbad (Jharkhand) 828104.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Kumari, Wife of Avinash Prakash, resident of Present Address:- Village- Bahera, P.S.- Belauv, Dist- Kaimur (Bhabua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Adv.
For Informant	:	Mr. Arvind Kumar, Adv.
For the State	:	Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 303-09-2025
1.

Heard Mr. Rajesh Kumar Singh, learned counsel for the petitioner, Mr. Arvind Kumar, learned counsel for the informant and Mr. Ram Naresh Ray, learned APP for the State.
2.

The petitioner apprehends his arrest in connection with Complaint Case No. 290 of 2024, registered for the offence(s) punishable under section 3 & 4 of Dowry Prohibition Act and cognizance has been taken under Section(s) 341, 323 and 498 A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.



3. The main submissions advanced by the petitioner's counsel are that after the marriage, the complainant (O.P. No.2) who happens to be the wife of the petitioner, resided with him for only a few months, in the entire complaint, there is no specific allegation against the petitioner, regarding the alleged dowry demand and further, efforts were made by the learned Mediator to reunite the spouses, but his efforts failed.

4. On the other hand, learned counsel appearing for the informant has opposed the bail prayer and submits that the O.P. No.2 was subjected to torture by the petitioner for the demand of a four-wheeler and she is still willing to reside with the petitioner.

5. In the facts and circumstances of the case and mainly considering that there is no evidence of physical torture, coupled with the fact that the complainant (O.P. No.2) has not revealed any specific role of this petitioner in committing the alleged cruelty with her, in my opinion, it is a fit case for granting anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Complaint Case No. 290 of 2024 on furnishing bail bond of Rs.



20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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