

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37136 of 2025

Arising Out of PS. Case No.-741 Year-2024 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

Krrish Kumar S/O Sri Mahanand Singh Mohalla- Ramkrishna Nagar,
Sheikhpura, P.O. and P.S.-Jaganpura, District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Vaishanavi Kumari @ Aanchal Kumari W/O Krrish Kumar, D/O Late Ranjeet Mehta R/O- C/o Sanjay Kumar Khatri, Shahganj, P.O.-Mahendru, P.S.-Sultanganj, District-Patna, Pin-800006

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhav Krishna, Adv.
For the Opposite Party/s	:	Mr. Rahul Anand, Adv. Mr. Subhankar Prabhakar, Adv. Ms. Anita Kumari, Adv. Mr. Ashutosh Kumar, Adv.
For the State	:	Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 741 of 2024 dated 09.07.2024 registered for the offence punishable u/s 85 of the B.N.S. and u/s 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the complainant due to non-fulfillment of demand of Rs. 5,00,000/- and four-



wheeler as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is husband of the complainant and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the complainant. Learned counsel has further submitted that the petitioner filed a matrimonial case vide Matrimonial Case No. 304/2024 on 27.06.2024 in the court of Principal Judge, Family Court, Vaishali, Hajipur for the restitution of the conjugal right and thereafter, the present case has been lodged on 09.07.2024 against the petitioner. The petitioner neither demanded any dowry nor tortured the informant. The petitioner has relied upon the judgment of this Court in the case of **"Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182."** Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave**



Petition (CRL.) No. 3433 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna City, in connection with Complaint Case No. 741 of 2024, subject to conditions as laid down under section 482(2) of the B.N.S.S.

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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