

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38996 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- COMPLAINT CASE - SIKRAHANA
District- East Champaran

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Pappu Yadav Son of Harendra Prasad Yadav Resident of village- Bherkhiya,
P.S.- Pipra, Distt.- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Chandrawati Kumari D/O- Kripanand Prasad Yadav @ Kripanand Rai
Resident of Village- Belaghat, P.S.- Shikarganj, Distt.- East Champaran

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 15-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Trial No.1064 of 2024 arising out of
Complaint Case No.91 of 2024, filed for the offences punishable
under Sections 498A, 323, 504 of the Indian Penal Code.

3. As per allegation, the marriage of the Complainant
was solemnized with the Petitioner in the year 2021. The
Complainant joined the Petitioner/husband at his matrimonial
home. Soon thereafter, additional demand of dowry started on
the part of the Petitioner and his family members and on
account of non-fulfillment of the same, she was subjected to



torture in various ways and ultimately she was ousted from the matrimonial home on 01.07.2022.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. She further submits that as a matter of fact, the Petitioner is a poor person and on account of normal wear and tear of married life, this false case has been filed. She further submits that the Petitioner/husband is ready to keep his wife at his matrimonial home. She also submits that the maximum punishment prescribed for the alleged offence is three years.

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 and learned counsel for the Informant vehemently oppose the prayer of the Petitioner for bail submitting that the Petitioner is neither keeping her in his matrimonial home nor paying any maintenance to her. The Complainant/wife is willing to live with him.

8. From the rival submissions of the parties, it appears



that there is matrimonial dispute between parties.

9. 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 Trial No.1064 of 2024 arising out of Complaint Case No.91 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.



10. The Complainant is at liberty to move Family Court and file maintenance case or matrimonial petition under Section 9 of the Hindu Marriage Act, if she is not taken by the Petitioner to his Matrimonial home.

(Jitendra Kumar, J.)

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