

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39815 of 2025

Arising Out of PS. Case No.-1735 Year-2023 Thana- COMPLAINT CASE District- Araria

Rahul Kumar Mandal @ Rahul Kumar S/o Laldhar Mandal Resident of
Village- Mirdoul, Ward No. 02, Police Station- Narpatganj, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neelam Devi D/o Ashok Sharma Resident of Village- Kaftar, Ward No. 10,
Police Station- Kuwari, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the State	:	Ms. Sharda Kumari, APP
For the Informant	:	Ms. Kusum Kumari, Advocate
		Mr. Mrigendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 16-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Complaint Case No. 1735C of 2023 registered for the offences
under Section 498A of the I.P.C and under Section 3/4 of the
Dowry Prohibition Act.

3. As per the prosecution case, the complainant has
alleged that the petitioner had married the complainant on
14.09.2022 and there was a child also born out of the wedlock.
It is further alleged that the accused husband (petitioner) and
others started demanding dowry from the parents of the
complainant and on non-fulfillment they started torturing her. It

is further submitted that the petitioner though assured her of keeping her as her legally wedded wife but she was subsequently not accepted and thrown out of the house.

4. Learned counsel for the petitioner submits that the petitioner is a poor person and allegation of demand of five lakh rupees is false and concocted one. It is further submitted that there is no specific allegation against the petitioner and the allegations which have been made is false and fabricated. It has been pointed out that the case was referred to the mediation center, however, the said mediation failed. Learned counsel for the petitioner further submits that the petitioner is ready to pay Rs. 4,000/- to the complainant during the period until an order is passed by the competent court in an application made by the complainant seeking maintenance.

5. Learned counsel for the informant as well as the learned APP for the State have vehemently opposed the prayer for bail and submit that if the petitioner gives Rs. 4,000/- for the subsistence of the complainant as well as her daughter, the petitioner may be released on bail.

6. Considering the aforesaid submission and the undertaking given by the petitioner, let the petitioner above named be released on anticipatory bail, in the event of arrest or

surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Complaint Case No. 1735C of 2023 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the

petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(v) That the petitioner shall pay Rs. 4,000/- to the complainant possibly by 10th of each month, if the learned court below finds that there is default in payment of the amount for consecutive two months, the bail bond of the petitioner shall be liable to be cancelled.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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