

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43764 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- MATIHANI District- Begusarai

Kishor Kumar @ Dilchan @ Kishor Rai son of Mahesh Rai Village -Chakbali
Diyara, Ward No 5, Ps -Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prabhat, Advocate
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP
For the Informant	:	Mr. Ritwik Thakur, Advocate
	:	Mrs. Vaishnavi Thakur, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Matihani P.S. Case No. 43 of 2025 instituted for the offences
under Sections 85, 115(2), 352, 303(2), 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the informant was
subjected to physical assault by her husband, petitioner herein,
and her family members due to her objection to his drug



addiction and illicit relationship.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that there is a delay of about six months in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner never demanded any dowry nor tortured the victim. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.05.2025 and has one criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection withMatihani P.S. Case
No. 43 of 2025.

Alok Verma/-
(Rudra Prakash Mishra, J)

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