

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43191 of 2025

Arising Out of PS. Case No.-1519 Year-2024 Thana- SARAN COMPLAINT CASE District-
Saran

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Akhilesh Kumar @ Akhilesh Pandit S/o Jagdish Pandit R/o Village-
Vishunpura Jalalpur, P.S.- Chapra Muffasil, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Pratima Kumari W/o Akhilesh Pandit, D/o Late Shivrath Pandit R/o Vill-
Vishunpura Jalalpur, P.S.- Chapra Muffasil, Distt- Saran, presently residing
at Vill- Parsa Shankardih, P.S.- Parsa, Distt- Saran

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Gaurav Kumar, Adv.
For the informant : Mr. Ranjeet Kumar, Adv.
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 03-11-2025 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 a case in
connection with Complaint Case No. 1519/2024 dated 04.06.2024
registered for the offences punishable u/ss 498A, 341, 342, 323,
379, 504, 506 read with Section 34 of the Indian Penal Code and
Section 4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the informant
mentally and physically due to non-fulfillment of demand of



dowry and ousted her from the matrimonial home.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner is the husband of the informant and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant. Learned counsel has further submitted that the petitioner is suffering from some psychological disease (Annexure-P/2) as stated in para 10 of the bail petition due to which, the informant was not willing to reside with the petitioner in the matrimonial home. 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, Saran at Chapra in connection with Complaint Case No. 1519/2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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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