

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45343 of 2025

Arising Out of PS. Case No.-6 Year-2023 Thana- COMPLAINT CASE District- Supaul

Ashutosh Kumar S/O Jaleshwar Prasad, R/O Village-Sujanpur, PS-Kishanpur,
Distt-Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumari D/O Arun Kumar Yadav R/O Village-Kaushalpatti, PS-Pipra, Distt-Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Complaint Case No. 6 of 2023 dated 03.01.2023, filed for the offences punishable under Sections 120(B), 498(A), 341, 342, 323, 504, 384 and 379 of the Indian Penal Code and cognizance has been taken under Sections 498(A) of the Indian Penal Code and Section 4 of the D.P. Act.

3. As per allegation, after the marriage, illegal demand of additional dowry started on the part of the accused-petitioner and his family members and on account of non-fulfillment of the same, she was subjected to torture.



4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the complainant-wife is not interested to maintain the matrimonial life and she has deserted the husband-petitioner and she is living at her maik. He further submits that divorce petition has been filed by the petitioner against the complainant-wife and subsequently, the present false case has been filed.

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 antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. 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 Complaint Case No. 6 of 2023, subject to the conditions as laid down under Section 482 (2) 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 antecedent, 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.

(Jitendra Kumar, J.)

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