

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55434 of 2025

Arising Out of PS. Case No.-1220 Year-2023 Thana- COMPLAINT CASE - BAGAHA
District- West Champaran

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Manoj Prasad S/O Late Suresh Prasad R/O Village- Dhobighatwa, P.S-
Barwapatti, Distt.- Kushinagar (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kumari Nidhi W/O Manoj Prasad , D/O Ramchandra Ram R/O Village-
Machchha, P.S- Bhitaha, Distt.- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Milind Kumar Mishra
For the Opposite Party/s	:	Mr.Sanjay Kumar Pandey
For the Informant	:	Mr. Zainul Abedin

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

ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case

in connection with Tr. No. 2680 of 2024 arising out of

Complaint Case No. 1220 of 2023 registered for the offence/s

punishable u/ss 323, 498A of the Indian Penal Code and ³/₄ of

the DP Act.

3. Earlier the petitioner was granted provisional bail

vide order dated 29.08.2025 and learned counsel for the

petitioner seeks confirmation of the provisional bail granted to



the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the husband of the informant. The petitioner neither demanded any dowry nor tortured the informant. There is general and omnibus allegation against the petitioner. Learned counsel for 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 at para 3 of the bail petition.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the confirmation of anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the allegation being general and omnibus, the provisional bail granted to the petitioner vide order dated 29.08.2055 is hereby confirmed, to the satisfaction of the learned court concerned, Bagaha, West Champaran in connection with Tr. No. 2680 of 2024 arising out of Complaint Case No. 1220 of 2023, subject to conditions as laid down under section 482(2) of the BNSS, with further condition/s:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

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.

(Chandra Prakash Singh, J)

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