

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54444 of 2025**

Arising Out of PS. Case No.-1469 Year-2023 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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Pinku Kumar, S/o- Late Chhedi Prasad Mandal R/o village- Nawabganj Purab  
Tola, P. O- Balhi Maheshpur, P. S- Kursela, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deji Kumari W/o- Pinku Kumar, D/o- Suresh Mandal R/o village-  
Nawabganj Purab Tola, P. O- Balhi Maheshpur, P. S- Kursela, District-  
Katihar, A/P- Paraspur Kadwa Po- Khaipur Kadwa Ps- Naugachia Dist-  
Bhagalpur

... .. Opposite Party/s

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**Appearance :**

|                            |                         |
|----------------------------|-------------------------|
| For the Petitioner/s :     | Mr. Rajendra Prasad Sah |
| For the Opposite Party/s : | Mr. Nityanand- A.P.P.   |
|                            | Mr. Satya Narayan Yadav |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      13-10-2025                      1. Heard learned counsel for the petitioner, the  
  
learned counsel appearing on behalf of the complainant and  
  
learned APP for the State.

2. The petitioner seeks bail in anticipation of his  
  
arrest in a case registered for the offences punishable under  
  
Sections 323, 307, 498(A), 406, 120(B) of the Indian Penal  
  
Code and Sections 3 and 4 of the D. P. Act, but cognizance was  
  
taken under Sections 323, 341 and 498(A) of the I.P.C. and  
  
Section 4 of the D. P. Act.

3. The learned counsel for the petitioner submits that  
  
inadvertently at Para-3, it has been pleaded that petitioner is a



person with clean antecedent when petitioner has antecedent of one case under the NDPS Act, but in the said case petitioner was acquitted by the learned trial Court, as such, it was pleaded that petitioner is a person with clean antecedent. It is next submitted that petitioner, being husband, has been falsely implicated in the instant case by the complainant. It is further submitted that complainant alleges that she was married to the petitioner on 12.07.2002 and out of the wedlock, a daughter was born, but after few years of marriage, all the accused persons including the petitioner started torturing her for non-fulfillment of demand of dowry of Rs.10 Lacs and a car.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the complaint, it would manifest that the same is general and omnibus in nature. It is submitted that after marriage, the complainant got appointed as a Government Teacher at Kanya Madhya Vidyalaya, Jamunia Parbatta Block, District Bhagalpur. After the complainant became a teacher, she started residing at her place of posting while petitioner resides at Katihar and is a farmer. It is further submitted that petitioner is still willing to keep the opposite party no.2 with honour and dignity, but then, opposite party no.2 wants the petitioner to accompany her to her



place of posting.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the opposite party no.2 does not dispute the submission of the learned counsel appearing on behalf of the petitioner that petitioner is working as a Panchayat Teacher and is residing at her place of posting, but then, submits that petitioner should revive his revive conjugal relationship with the opposite party no.2 where she is staying.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Katihar in connection with Complaint Case No.1469 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

**(Satyavrat Verma, J)**

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