

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55781 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- MAHILA P.S. District- Patna

Akash Raj S/o- Late Ram Chandra Prasad R/o- Vidya Nagar Colony
Hasanpur Badshahi Pan Ke Pass P.S- Beur District-Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Komal Kumari D/o- Umesh Thakur Village Po- Daulatpur Gandhi Tola Ps-
Gaurichak Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Kalyan Shankar, APP
For the Informant	:	Mr. Prem Nath Singh, Advocate
	:	Mr. Kameshwar Singh, Advocate
	:	Mr. Raghunath Singh, Advocate
	:	Ms. Veena Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-12-2025 Heard learned counsel for the petitioner, learned

APP representing the State and learned counsel for the

informant.

2. The petitioner is apprehending his arrest in

connection with Mahila P.S. Case No. 94 of 2024 registered for

the offence under Sections 115(2), 126(2), 351(2), 109, 85 and

3(5) of the B.N.S. and section 3 and 4 of the Dowry Prohibition

Act, lodged on 02.10.2024 by the informant, Komal Kumari.

3. As per the prosecution story, the informant alleged

that the husband is serving as Male Nurse in Chariyabariyarpur,

Government Health Centre, District-Begusarai. He is in the



habit of drinking alcohol and then abuse/assault. Multiple mediation took place, but as no fruitful result came out, the F.I.R.

4. From the record, it seems that the learned Sessions Judge tried to mediate in the matter but failed. Learned counsel for the petitioner submits that this is a counter blast to the the Divorce Petition Case No. 1652 of 2024 (Akash Raj vs. Komal Kumari) which led to the F.I.R.

5. Though the brutal assault has been attributed, no injury report is on record, the last submission is that being a husband and since they are not officially divorced, he on his own would like to contribute Rs.10,000/- per month to the lady in her bank account by 10th of every month and further submission is that if he fails to do so, the lady shall be free to take steps for cancellation of his bail bond.

6. Learned counsel representing the informant opposes the prayer submitting that though divorce petition is there, she was regularly assaulted. However, he concede that there is no injury report.

7. Considering the submissions of the parties as also that there is no injury report, a divorce suit is pending, the petitioner is a government servant, he on his own contributing



Rs.10,000/- to the lady to be deposited by 10th of every month in her Bank Account, details of which are as under:

Name: Komal Kumari

Bank Name: Canara Bank

Account No.4581108002716

IFSC Code-CNRB0004581

8. Failure to do so, the lady shall be free to take steps for cancellation of his bail bond, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate First Class, Patna, in connection with Mahila P.S. Case No. 94 of 2024 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her



bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

