

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65679 of 2024

Arising Out of PS. Case No.-373 Year-2019 Thana- COMPLAINT CASE District- Lakhisarai

Aditya Dhanraj Kumar @ Aditya Raj @ Anuj Kumar @ Guddu Kumar Son
of Rajendra Mahto Village- Maheshleta, P.S- Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailesh Anand, Adv.
For the State	:	Mr. Nitya Nand Tiwary, APP
For the O.P. No. 2	:	Mr. Bhola Parsad, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

8 12-08-2025 Heard learned counsel for the petitioner, learned
counsel for the O.P. No. 2 and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Lakhisaria Complaint Case No. 373 of 2019, registered for
the offences punishable under Section 323, 498A, 406 and 504
of the Indian Penal Code and Section 3 & 4 of the Dowry
Prohibition act.

3. The case is under Section 498A and the petitioner is
the husband. The allegation in the complaint is that of demand
of dowry and torture.

4. The matter had been sent to the Patna High Court
Mediation Center for reaching an amicable settlement between
the parties but the process of mediation failed.



5. Learned counsel for the petitioner, at the outset, makes a submission of outright denial of the marriage and hence, submits that the entire case against the petitioner is false and fabricated. It has also been submitted that force was used for solemnizing marriage of the petitioner with the O.P. No. 2 and hence, such forced marriage does not have the sanctity of law. Further, O.P. No. 2 has also failed to produce any proof with regard to a valid marriage and subsequently on 11.03.2025, the petitioner has also filed an application under Section 11 of the Hindu Marriage Act for declaring the said forceful marriage null and void, which fact he has brought on record by way of supplementary affidavit.

6. Learned counsel for the Opposite Party No. 2, however, strongly opposes the grant of anticipatory bail to the petitioner and has filed a counter affidavit, a hard copy of which has been taken on record to contend that an amount of Rs. 8,000/- was also fixed as an ex parte maintenance and he has challenged the same after substantial delay on 24.05.2025 and the petition for declaring the marriage null and void has also been filed after filing of the present anticipatory bail application.

7. Taking into consideration the rival contentions of the parties and a denial on the part of the petitioner of having



entered into any valid marriage and also considering the fact that the validity of the marriage itself is under question and is in the process of adjudication, I am inclined to grant the privilege of anticipatory bail to the petitioner.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Lakhisarai, in connection with Lakhisarai Complaint Case No. 373 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023.

(Soni Shrivastava, J.)

Jyoti Kumari/-

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