

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61174 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- WARISLIGANJ District- Nawada

Surenbra Kumar son of Ram Balak Yadav @ Balmiki Yadav Village
-Motalifchak Police Station -Warisaliganj District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonmati Kumari @ sonmanti kumari Wife of Surenbra Kumar Village
-Motalifchak police station -Warisaliganj District- Nawada At P/A-
Daughter of Rambalak Yadav, village- Palampur, Ps- Nemdarganj, Dist-
Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Nayan, Advocate
For the State	:	Mr.Nand Kumar, APP
For the O.P. No. 2	:	Mr. Rajesh Kumar Mishra, Advocate Mr. Basant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel appearing on behalf

of the informant-opposite party no. 2.

2. In the present case, the petitioner seeks bail in
connection with Warisaliganj P.S. Case No. 67 of 2025
registered for the alleged offences under Sections 126(2),
115(2), 352, 351(2), 88, 85, 3(5) B.N.S. and Section 3/4 of
Dowry Prohibition Act.

3. As per prosecution case, the petitioner is the
husband of the informant-opposite party no. 2 and the allegation



against the petitioner and his family members is that they used to pressurize the informant/opposite party no. 2 to demand bullet motorcycle and money from her parents and always used to abuse and assault the informant-opposite party no. 2. The petitioner and his family members tried to drive away the informant-opposite party no. 2 from their house and her sister-in-law assaulted her when she was pregnant, resulting in miscarriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence is stated to have taken place on 18.01.2025 but the FIR has been lodged on 03.02.2025 and there is no explanation for the same. From the FIR it is also evident that the informant had been undergoing treatment in hospital and during this treatment miscarriage took place. So it could not be said that the miscarriage happened due to assault of the petitioner. Learned counsel further submits that the informant-opposite party no. 2 does not want to stay with the petitioner as the petitioner has suffered from some ailment of veins of leg which are getting weaker and dry. Coming to know about this, the informant does not want to stay with the petitioner, who is always ready to keep her with honour and dignity. The



allegation of demand of bullet motorcycle is not believable as the petitioner has been suffering from ailment in leg. The petitioner is in custody since 26.05.2025 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant-opposite party no. 2 vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant-opposite party no. 2 submits that the sister of the petitioner hit the informant on her abdomen and she started bleeding and thereafter, she was treated at Sadar Hospital, Nawada as well as Pawapuri where her pregnancy got aborted.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the the allegation in the FIR and also considering the doubtful nature of allegation against the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/concerned Court in connection with Warisaliganj P.S.



Case No. 67 of 2025, subject to the conditions mentioned in
Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close
relative of the petitioner.

(ii) The petitioner will remain present
on each and every date fixed by the
court below.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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