

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62352 of 2025

Arising Out of PS. Case No.-991 Year-2025 Thana- PHULWARISHARIF District- Patna

Rahul Kumar S/o Munna Prasad Gupta @ Munna Prasad R/o Pethia Bazar,
Ranipur More, P.S.- Phulwari Sharif, Distt- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Sonam Kumari W/o Rahul Kumar, D/o Gopal Prasad R/o Pethia Bazar,
Ranipur More, P.S.- Pholwari Sharif, Distt- Patna, presently residing at New
Himalaya Sweets in front of Shiv Mandir, P.O.- Rikabganj, P.S.- Tekari,
Distt- Gaya, Pin Code- 824236

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Manish Dhari Singh, Advocate
For the State	:	Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Phulwari Sharif P.S. Case No. 991 of 2025,
dated-19.06.2025, registered for the offences punishable under
Sections 126(2), 115(2), 352, 351(2), 351(3), 85, 3(5) of the
B.N.S., 2023 and under Section 3/4 of the Dowry Prohibition Act.

3. As per allegation, the marriage between the
Petitioner and the Informant was solemnized four years ago and
after the marriage, additional demand of dowry started and on
account of non-fulfillment of the same the she has been
subjected to cruelty by the Petitioner and his family members.



Even the brother of the Informant has been assaulted by the Petitioner and his family members.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the Petitioner/husband is an unemployed person and on account of normal wear and tear of married life, marriage is not working properly, and hence, this false case has been filed. There was altercation between the family of the Informant and the Family of the Petitioner and there is also case and counter case. The counter case filed by the Petitioner side is Phulwari Sharif P.S. Case No. 992 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Phulwari Sharif P.S. Case No. 991 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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