

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66224 of 2025

Arising Out of PS. Case No.-3477 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

=====

Kanhaiya Kumar Son of Late Ram Raj Ram @ Ram Raj Chaudhary Resident of village - Sariyaon (Sariyavn), P.S.- Mohania, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari @ Sanjana Kumari Wife of Kanhaiya Kumar Resident of village - Sariyaon (Sariyavn), P.S.- Mohania, District - Kaimur at Bhabua. At present daughter of Vijay Bahadur Choudhary, Resident of village - Patserwa, P.S.- Mohania, District - Kaimur at Bhabua.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Adv
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with complaint Case No. 3477 of 2022 registered for the offences punishable under Sections 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. As per allegation in the complaint case, petitioner along with the other family member used to assault the complainant for dowry.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He next submits that complainant herself does not want to live with the petitioner and her-in-laws, and want to harass them by filing such false case against him. He further submits that complainant herself left the house of her husband willfully and filed a false and concocted case. He further submits that petitioner has earlier got anticipatory bail by the co-ordinate Bench of this Court vide order dated 30.04.2024 passed in Cr. Misc. No. 59038 of 2023 and was directed to surrender within six weeks but petitioner was not able to surrender within stipulated time and filed another petition for extension of time but was rejected vide Cr. Misc. No. 31698 of 2025 but it was rejected by the Co-ordinate Bench of this Court and then the petitioner himself had surrendered before the Trial Court and he is in custody since 28.07.2025 having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the complaint case and impugned order dated 20.08.2025, it appears that petitioner did not surrender before the Trial Court within stipulated time of six weeks but when his modification petition for extension of time had been rejected, then he surrendered before the Trial Court, So



considering that fact that petitioner has got anticipatory bail by the Co-ordinate Bench of this Court vide order dated 30.04.2024 passed in Cr. Misc. No. 59038 of 2023, let the above named petitioner 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 Sub Divisional Judicial Magistrate, Mohania, Kaimur at Bhabua in connection with Complaint Case No. 3477 of 2022.

7. However, it is made clear that the opposite party no. 2 shall be at liberty to file an application seeking cancellation of regular bail granted to the petition, if the event, if the petitioner oust her from her matrimonial home or does not keep her with proper love and care.

(Ramesh Chand Malviya, J)

Sunnykr/-

U			
---	--	--	--

