

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73654 of 2025

Arising Out of PS. Case No.-1325 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Manish Kumar @ Manish Kumar Singh S/O Dinesh Singh @ Dinesh Kumar
Singh Resident of Village- Jaunapur, P.S.- Patory, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sadhna Devi W/o Manish Kumar Singh, D/O Late Ram Prasad Singh
Permanent residing at Vill. and P.O.- Hasanpur (Uttari), P.S.- Mahnar, Dist.-
Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shivjee Singh, Adv.
For the Opposite Party/s	:	Mr.Sanjay Kumar, APP
For the Informant/s	:	Mr. Piyush Kumar Pandey, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1325C/2019 dated
04.12.2020 registered for the offence punishable under Section
498A of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the complainant
mentally and physically due to non-fulfillment of demand of
dowry.



4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who is the husband of the complainant. The petitioner neither demanded any dowry nor tortured the complainant. The complainant lodged the case vide Mahnar P.S. Case No. 57 of 2013 against the petitioner. The petitioner filed Matrimonial (Divorce) Case No. 191 of 2019 before the learned Principal Judge, Family Court, Vaishali at Hajipur which was disposed of on the basis of compromise between the parties on 03.05.2023. The petitioner has relied upon the judgment of this Court in the case of "**Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**" Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023.** The petitioner has no criminal antecedent as stated in para 3 of the bail petition.



5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Complaint Case No. 1325C/2019, subject to conditions as laid down under section 438(2) of the Cr.P.C., with further condition:-

7. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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