

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81209 of 2025**

Arising Out of PS. Case No.-61 Year-2024 Thana- MANIHARI District- Katihar

Akhilesh Kumar Yadav, aged 26 years, Male, S/O Indradeo Yadav Resident of Village- Nababganj, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 22-12-2025 Heard Mr. Md. Musowir, learned counsel appearing on behalf of the petitioner and Mr. Rana Randhir Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Manihari P.S. Case No. 61/2024 registered for the offence(s) punishable under Sections 323, 341 and 365 of the Indian Penal Code.

3. As per the allegation made in the FIR, the informant has stated that his daughter was married with the petitioner. His son-in-law (petitioner) works in Delhi. In the meantime, her in-laws physically abused his daughter and threw away from her matrimonial house on 03.03.2024 and since then she is missing.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that it is clear from the FIR that on the date of occurrence, the petitioner was in Delhi and there is no allegation against him. He further submitted that daughter of the informant was not missing, rather she went to her parents house and she was present there on the date of FIR and just to harass the petitioner and his family members, the present FIR has been lodged. Prior to the present case, wife of the petitioner has also filed C.A. Case No.1506/2022 under Section 498(A) of the Indian Penal Code and Section 4 of D.P. Act, in which he is on bail. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that the matrimonial dispute is not an offense against the society rather a matrimonial dispute is a private conflict between spouses and does not inherently constitute an offence against society, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.



7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar, District, Katihar / Concerned Court in connection with Manihari P.S. Case No. 61/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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