

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.4032 of 2025

Arising Out of PS. Case No.-34 Year-2024 Thana- COMPLAINT CASE - SHERGHATI
District- Gaya

Akhilesh Prasad @ Akhlesh Kumar @ AKlesh Kumar S/O Late Ramswarup
Prasad R/O Vill. and P.O.- Jharhi, P.S.- Amas, Dist.- Gaya. Petitioner/s
Versus

1. The State of Bihar
2. Shobha Kumari W/O Akhilesh Praswad, D/O Ramnandan Prasad R/O Vill.
and P.O.- Azamgarh, P.S.- Raushanganj, Dist.- Gaya. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 18-09-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Sherghati (Gaya) Complaint Case No. 34 of 2024, registered for the
offences punishable under Sections 498(A), 494 and 379 of the IPC.

3. According to complaint petition, the marriage of the
petitioner was solemnized with the complainant in the year 2005. On
the occasion of the marriage, Rs. 50,000/- in cash was paid to the
petitioner. Thereafter, the petitioner and his family members started
torturing her and ousted her from the matrimonial house. The
accused persons including the petitioner started to demand Rs. 10
lakhs as dowry and for non-fulfillment of demand of dowry, they
started torturing her and consequently, ousted her from the
matrimonial house. The petitioner has solemnized his second
marriage.

4. Learned counsel for the petitioner has submitted that
opposite party no. 2 is a constable in Bihar Police. She has sufficient



means to maintain herself and her children, whereas the petitioner is a poor farmer owning one *Bigha* of land. He has insufficient means to maintain his wife and children. He has further submitted that the marriage was solemnized in the year 2005 and the complaint petition was filed after 19 years, i.e., in the year 2024.

5. On the other hand, learned counsel for the complainant has opposed the prayer for bail and submitted that the petitioner committed atrocities upon the victim and also solemnized his second marriage.

6. The complaint petition has been filed after 19 years of the marriage. Opposite party no. 2 is a constable in Bihar Police, whereas the petitioner is a farmer.

7. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-Ist, Sherghati, Gaya in connection with Sherghati (Gaya) Complaint Case No. 34 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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