

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.926 of 2026

Arising Out of PS. Case No.-198 Year-2024 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Gautam Yadav S/o Uma Shankar Yadav, R/o Village- Nandan, P.S.- Dumraon,
Distt- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mira Devi W/o Gautam Yadav R/o vill - Nandan, P.S.- Dumraon, Distt.-
Buxar, at present Residing Mira Devi, D/o Ramjeet Yadav, R/o vill - Balua,
P.S.- Brahmpur, Distt.- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rang Nath Choubey, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Complainant	:	Mr. Rajiv Ranjan Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 06-04-2026 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel for the

Complainant.

2. The petitioner seeks bail, apprehending his arrest,

in connection with Complaint Case No. 198 of 2024, filed for

the offences punishable under Sections 323, 498A, 406 and

504/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. As per allegation, the petitioner was married with

complainant in the year of 2016 and as per further allegation,

after the marriage, illegal demand of additional dowry started



and on account of non-fulfillment of the same, she was subjected to torture and petitioner also drinks liquor and assaults under the influence of it. There is one daughter born out of the wedlock.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is one female child born out of the wedlock. He further submits that the maximum punishment prescribed for the alleged offence is three years. He also submits that petitioner is ready to keep his wife but wife is not ready to live with him.

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 antecedent.

7. However, learned APP for the State as well as learned counsel for the complainant vehemently oppose the prayer of the Petitioner for bail submitting that this is a case of illegal demand of dowry and cruelty being committed by the petitioner on account on non-fulfillment of illegal demand of dowry.



8. Considering the aforesaid facts and the fact that the maximum punishment prescribed for the alleged offence is three years, **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 Complaint Case No. 198 of 2024, 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 antecedent, 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.

9. If there is any matrimonial grievance, the parties



are at liberty to approach Family Court for redressal of their
matrimonial dispute.

(Jitendra Kumar, J.)

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