

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2119 of 2026

Arising Out of PS. Case No.-1247 Year-2023 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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1. Abhishek Kumar @ Bittu S/O Madan Kumar Rai Resident of Village- Gopalganj Mohalla, Old RMS Station (Northside), Near Gaurkshani, Raiji Shop, P.S- Sasaram (Town), Distt.- Rohtas.
 2. Madan Kumar Rai S/O Ramjeetan Rai Resident of Village- Gopalganj Mohalla, Old RMS Station (Northside), Near Gaurkshani, Raiji Shop, P.S- Sasaram (Town), Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Birendra Singh @ Gorakh Singh S/O Late Ram Ashish Singh R/O Village- Kasudhi, P.O- Nad, P.S- Darigaw, Distt.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ramchandra Singh, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP
For the Complainant	:	Mr. Jai Prakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-04-2026 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2.

2. The petitioners apprehend their arrest in a complaint case registered for the offence punishable under Section 420 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. Earlier, vide order dated 31.01.2026, the matter was



referred to Mediation and Conciliation Centre, Patna High Court. From perusal of mediator's report dated 12.03.2026 it is apparent that despite best efforts, the dispute between the parties could not be resolved through the process of mediation.

4. The prosecution case, in brief, is that on the pretext of marriage, in total, Rs. 24,46,041/- was given to these petitioners in cash or spent on different occasions, however, later on, they refused to solemnize marriage, returned only Rs. 10,50,000/- and refused to return rest of the amount of Rs. 13,96,041/-.

5. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. It is true that the complainant wanted to solemnize marriage of his daughter with Petitioner No. 1, however, on some dispute, the same could not materialize and in retaliation, this false and concocted case has been lodged. There is no chit of paper on record to support the allegations levelled in the complaint petition. Moreover, the dispute is purely civil in nature and none of the acts, allegedly committed by these petitioners, would give rise to any criminal liability. Petitioners claim clean antecedents.

6. Learned A.P.P. for the State and learned counsel for



the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

7. Considering the facts and circumstances of the case, general and omnibus nature of accusation, materials available on record and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sasaram, Rohtas in connection with Complaint Case No. 1247 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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