

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6389 of 2026

Arising Out of PS. Case No.-2862 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Abhay @ Abhay Kumar S/o Chandu Singh R/o Village- Mathurapur, P.S.-
Bidupur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi W/o Late Awadhesh Singh Resident of Village- Kariho Bhorha,
P.S.- Mahua, District- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brahmaputra Singh Ishu Ms.Poonam Kumari
For the State	:	Mr.Amitesh Kumar
For the O. P. No. 2	:	NONE

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 4 | 06-05-2026 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.2. Despite valid service of notice, no one appears on behalf of the Opposite Party No. 2.3. This application, for grant of anticipatory bail, arises out of Complaint Case No. 2862 of 2017, in which cognizance has been taken for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.4. The prosecution case, as per the complaint filed by Shanti Devi, mother of the wife of the petitioner, is that the |
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marriage of the petitioner was solemnized with her daughter on 04.06.2013 and after marriage, the accused persons, including the petitioner, started demanding Rs. 5,00,000/- in cash, one motorcycle and a gold chain by way of dowry and due to non-fulfillment of the said demand, the daughter of the complainant was tortured, both mentally as well as physically.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the daughter of the complainant does not want to live with the petitioner and she has an affair with some other person. He further submits that the complainant's daughter has filed a case for domestic violence before the Saket Court, at Delhi, bearing C.T. Case No. 23 of 2018 and he is paying a monthly maintenance of Rs. 2,000/- to the complainant's daughter as per the direction of the Saket Court. He further submits that the wife of the petitioner has not filed the complaint for allege demand of dowry; rather her mother has filed the present complaint against the petitioner and others.
6. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that the petitioner is paying maintenance of Rs. 2,000/- as directed by the Saket Court, at Delhi, the present case has been filed by the mother-in-law of the petitioner and despite valid service of notice, the Opposite Party No. 2 has chose not to appear before this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Vaishali, at Hajipur, in connection with Complaint Case No. 2862 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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