

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10828 of 2026

Arising Out of PS. Case No.-16 Year-2025 Thana- MAHILA P.S. District- Lakhisarai

Birendra Kumar S/o- Gena Lal Yadav R/o- Teliya Nawatolya PS- Fulli
Dummar Distt- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari D/o- Rajiv Kumar Bharti R/v- Parsotimpur Ps- Ranjan Dist-
Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Kumar, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State. Despite filing vakalatnama, nobody appears
on behalf of opposite party no. 2.

2. The petitioner, husband of the opposite party no. 2,
apprehends his arrest in a case registered for the offence under
Sections 126(2), 115(2), 85, 352, 351, 3(5) of the B.N.S. and
Section 3 & 4 of the Dowry Prohibition Act.

3. Allegation against petitioner is of matrimonial
cruelty and demand for dowry and due to non-fulfillment of
same, he ousted opposite party no. 2 from her matrimonial
home.

4. While denying the allegations made in the present



petition, learned counsel for the petitioner submits that petitioner has been falsely implicated in this case merely because he happens to be husband of opposite party no. 2. At no point of time, petitioner demanded any dowry or committed torture with opposite party no. 2. He further submits that informant/opposite party no. 2 is in habit of filing such type of cases. Earlier also, for same set of allegation, she (opposite party no. 2) has filed two cases, vide (i) Bhagalpur Sadar Women's P.S. Case No. 50 of 2018 under Sections 498(A), 313, 3431, 323, 504, 506, 34 of the I.P.C. & Section 3 / 4 of the Dowry Prohibition Act and (ii) Bhagalpur Sadar Women's P.S. Case No. 4 of 2019 under Sections 498(A), 341, 323, 342, 504, 506, 34 of the I.P.C. The instant case is 3rd in series. Moreover, the case is triable by the learned Magistrate.

5. Considering the aforesaid facts and circumstances, the present anticipatory bail petition is allowed. Accordingly, in the event of arrest or surrender within a period of eight weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of **Rs.10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Lakhisarai / concerned Court in connection with Mahila (Lakhisarai) P.S. Case No. 16 of 2025, subject to



the conditions, as laid down under Section 482 of the B.N.S.S.,
2023.

(Prabhat Kumar Singh, J)

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