

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13553 of 2026

Arising Out of PS. Case No.-1918 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Prema Devi W/o Arun Kumar Pandey @ Bablu Kumar Pandey R/o Village-
Pokh raha, P.S.- Begangola, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saloni Kumar W/o Mr. Sumant Kumar Pandey, D/o Sanjit Singh @
Ramtapasya Singh Resident of Village- Pokh raha, PS.- Began Bela, District-
Buxar, At present R/o Village- Khandaul, P.S.- Sandesh, District- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shivam, Adv.
For the State	:	Md. Anzarul Haque Sahara, APP
For the complainant	:	Mr. Parijat Saurav, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-03-2026 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.

02. In the present case, the petitioner is apprehending
her arrest in connection with Complaint Case No. 1918 of 2023
registered for the alleged offences under Section 498A of the IPC.

03. As per prosecution case, the complainant/opposite
party no. 2 is married with one Sumant Kumar Pandey and the
petitioner is stated to be wife of his elder brother. The allegation
against the petitioner and other coaccused persons is that they used
to treat the complainant with cruelty and further used to torture
her. There is further allegation of illicit relationship between the
petitioner and the husband of the complainant which resulted in
infliction of torture and cruelty upon the complainant.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and she has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The allegations levelled against the petitioner are not believable considering the fact that a number of persons reside in the house where the petitioner and the husband of the complainant reside. The complainant herself left her matrimonial home. The petitioner is married with two children who are staying in the same house and allegation of illicit relationship is simply not believable. Learned counsel further submits that husband of the complainant has filed a case under Section 9 of the Hindu Marriage Act for restitution of conjugal rights, being Matrimonial Case No. 387/2023. Learned counsel further submits that learned SDJM, Bhojpur has disbelieved the other allegations and has taken cognizance only under Section 498A of the IPC. Learned counsel further submits that the present case is a completely false and concocted case. The petitioner has clean antecedent.

05. Learned A.P.P. for the State as well as learned counsel for the complainant vehemently oppose the submission made on behalf of the learned counsel for the petitioner. Learned counsel for the complainant submits that in the rejection order the Additional Sessions Judge has taken note of the photographs and video of illicit relationship of the petitioner with the husband of the complainant.



06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the petitioner with the complainant and further considering the nature of allegation against the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned SDJM, Bhojpur at Ara in connection with Complaint Case No. 1918 of 2023, subject to the condition laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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