

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15002 of 2025

Arising Out of PS. Case No.-490 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Dharmendra @ Raman Sharma son of Kailash @ Lalan Sharma Village-
Aliganj, P.S.- Suryapura, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manisha Kumari wife of Dharmendra @ Raman Sharma village-
Jorawarpur, Ps- karakat, Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2026 Heard the parties.

2. The petitioner is named in the Complaint Case and apprehending his arrest in connection with Complaint Case No. 490 of 2023 registered for the offences punishable under Sections 323, 498A of IPC and $\frac{3}{4}$ D.P. Act.

3. As per complaint, petitioner alleged to commit mental and physical cruelty upon complainant/ OP No. 2 due to non fulfillment of demand of dowry as raised for cash of Rs. 2 lakh.



4. It is submitted by learned counsel appearing on behalf of the petitioner that the allegation *qua* committing mental and physical cruelty is available against petitioner who is the husband of the complainant is appearing very general and omnibus in nature. It is submitted that for the same occurrence one police case was also lodged which was registered as Surajpura P.S. Case No. 120 of 2023 dated 19.06.2023. It is submitted that present complaint petition is not supported by affidavit, and therefore, the allegation as raised through present complainant cannot be relied upon in view of legal report of Hon'ble Supreme Court as available through ***Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]***. While concluding arguments, it is submitted that petitioner found involved in one more case of pity nature where he is on bail.

5. Learned APP, while opposing the prayer of bail submitted that allegation is specifically available against petitioner who is the husband.



6. In view of aforesaid factual submission and by taking note of the fact as the allegation *qua* committing cruelty as raised by complainant *prima-facie* appears general and omnibus in nature, coupled with the fact that complainant, in issue, not appears supported by affidavit as discussed aforesaid, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Rohtas, Sasaram /concerned Court, where the case is pending in connection with Complaint Case No. 490 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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