

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18082 of 2026

Arising Out of PS. Case No.-705 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Jitendra Paswan S/o- Awadhesh Paswan Resident of Village-Ibrahimpur
Budhan Bigha PS- Fesar Dist- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi W/o- Jitendra Paswan Resident of Village-Ibrahimpur Budhan
Bigha PS- Fesar Dist- Aurangabad, A/P- Jasoyiya Misir Bigaha Ps-
Aurangabad Town Dist- Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pramendra Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP
For the O.P. No. 2	:	Mr. Virendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-07-2026 Heard the learned Advocate for the petitioner, learned

Advocate for the O.P. No. 2 and the learned Additional Public

Prosecutor for the State.

2. The petitioner, happens to be husband of the O.P.
No. 2, apprehends his arrest in connection with Complaint Case
No. 705 of 2022, wherein the learned jurisdictional Court has
taken cognizance for the offences punishable under Section
498(A) of the Indian Penal Code.

3. The marriage of the petitioner was solemnized with
the O.P. No. 2 in the year 2016. However, right from inception,
she was subjected to demand of dowry and on account of non-
fulfillment of the same, she was tortured mentally and
physically. The couple also blessed with two children, but that



also could not persuade the petitioner as he is living in adultery with another lady.

4. Learned Advocate for the petitioner while denying the allegation of adultery, has submitted that he is all along ready to keep the O.P. No. 2 with all honor and dignity, but it is she, who has refused to reside with him on the suspicion of adultery. It is further contended that the marriage was solemnized in the year 2016, and at this stage, after about ten years, any allegation of demand of dowry appears to be wholly absurd and unfounded.

5. On the other hand, learned Advocate for the O.P. No. 2 submitted that the O.P. No. 2 has been residing in her matrimonial home along with two minor children and there is none to look after her, and as such, the O.P. No. 2 is ready to reside with the petitioner.

6. Learned Advocate for the State, at this juncture, interjected and submitted that the matter was referred to the Patna High Court Mediation and Conciliation Centre, however, the dispute could not be resolved.

7. At this stage, learned Advocate for the petitioner again submitted that the petitioner still wants to keep the O.P. No. 2 with all honor and dignity, if she intended to do the same and ready to mend her ways.



8. In view thereof, this Court is acceded to the prayer for anticipatory bail of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Complaint Case No. 705 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

9. However, it is further clarified that in view of the submissions made on behalf of the parties before this Court and in order to give another chance to the parties, this order will not preclude the jurisdictional Court to direct both the parties to ensure their appearance before the Court on the next date where the Court shall reconcile the matter, and if both the parties are ready to reside with each other, allow the same.

(Harish Kumar, J)

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