

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16625 of 2026

Arising Out of PS. Case No.-1953 Year-2024 Thana- COMPLAINT CASE District- Araria

Rakesh Kumar Mandal @ Rakesh Kumar, son of Manoj Mandal, Resident of
Village- Mahamadiya, Ward No 13, P.S.- Hasanganj, Dist -Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumari, Wife of Rakesh Kumar, Resident of Village- Rahikpur, Ward
no. 01, P.S.- R.S., Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Singh, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP
For the Opp. Party No.2	:	Mr. Kundan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-06-2026 Heard Mr. Ramesh Kumar Singh, learned Advocate

for the petitioner and the learned APP for the State. The opposite

party no.2 is represented through Mr. Kundan Kumar Singh,

learned Advocate.

2. The petitioner happens to be the husband of
opposite party no.2 is apprehending his arrest in connection with
Complaint Case No. 1953 of 2024 wherein cognizance has been
taken for the offences punishable under Sections 498-A of the
Indian Penal Code.

3. The marriage of the petitioner was solemnized with
opposite party no.2 in the year 2023 and at the time of marriage,
a substantive amount was taken in dowry, besides the other



articles. Notwithstanding with the aforesaid fact, the accused persons, including the petitioner, kept on demanding dowry and failure to satisfy the demand, the complainant was subjected to torture in various ways.

4. Learned Advocate for the petitioner submitted that the petitioner has always been ready to keep his wife with full honour and dignity, but it was the complainant, who was not ready to consummate her conjugal life, as is evident from the report of the Mediator. The bona fide of the petitioner is also writ large, as the petitioner has filed a matrimonial case for restitution of conjugal life under Section 9 of the Hindu Marriage Act, but it is the complainant, who refused to discharge the marital obligation.

5. On the other hand, learned APP for the State and the opposite party no.2 opposed the bail application and submit that because of the torture being given by the petitioner, the complainant has been facing difficulty to reside with him.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact the cognizance has been taken only under Section 498A of the Indian Penal Code and the petitioner has shown his bona fide and is ready to keep his wife with all honour and



dignity, but the complainant has not accepted his request, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 1953 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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