

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20765 of 2025

Arising Out of PS. Case No.-1260 Year-2022 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

Abhishek Kumar Dubey Son of Harendra Dubey Resident of Village- Deo Kuli, P.s.- Brahmpur, Distt.- Buxar. Petitioner/s

Versus

1. The State of Bihar.
2. Anuradha Pandey D/O- Shree Biteshwar Nath Pandey Present address- Muhalla- Gorakshni New Ward no. 14, Near Shiv Mandir, P.S.- Town Thana Sasaram, Distt.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Omprakash Pandey, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-02-2026 Heard learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioner apprehending his arrest in connection with Complaint Case No. 1260 of 2022 registered for the offences punishable under Sections 498-A, 354, 356, 327, 377, 403, 323, 497, 506, 609, 511, and 34 of the IPC and Section 5 of Anaitik Vyapar Adhiniam.

3. As per complaint petition, petitioner alleged to commit mental and physical cruelty upon the complainant alongwith family members due to non-fulfillment of demand of dowry as raised for cash of Rs. 5 lacs.



4. It is submitted by learned counsel appearing on behalf of the petitioner that as per complaint petition, the last occurrence took place on 23.03.2022, whereas the present complaint case was filed on 21.12.2022 i.e. almost after nine months of the alleged last occurrence. It is submitted that present complaint also not appears supported through affidavit and, therefore, complaint is not sustainable under the eyes of law. In support of same, learned counsel relied upon the legal report of ***Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]***. It is further submitted by learned counsel that even the allegation *qua* committing mental and physical cruelty is appearing very much general and omnibus against petitioner.

5. Learned APP while opposing the prayer of bail submitted that petitioner is the husband and thrust of allegation is available against him.

6. In view of aforesaid factual submissions and by taking note of fact as allegation *qua* committing mental and physical cruelty appears very much general and omnibus against petitioner, where the complaint in issue also appears lodged after nine months of the last occurrence, accordingly, above



named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, 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 at Sasaram/concerned Court, where the case is pending in connection with Complaint Case No. 1260 of 2022, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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