

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23853 of 2024

Arising Out of PS. Case No.-1101 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Abhinav Shourya Son of Late Dharendra Kumar Choudhary R/o Village-
Jorpulara, P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Komal Kumari Wife of Abhinav Shourya, D/o Mahendra Pratap Singh R/o
Maika Chandrapura, P.S.- Nima Chandpura, District- Begusarai
- Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 24262 of 2024

Arising Out of PS. Case No.-1101 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Sunita Devi Wife Of Late Dharendra Kumar Choudhary Resident Of Village -
Jorpura, P.S. - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar
 2. Komal Kumari Wife Of Abhinav Shourya, Daughter Of Mahendra Pratap
Singh Resident Of Village - Maika Chandpura, P.S. - Nima Chandpura,
District - Begusarai
- Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 23853 of 2024)

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : Mr. Pushpa Sinha

(In CRIMINAL MISCELLANEOUS No. 24262 of 2024)

For the Petitioner/s : Mr. Sarvan Kumar

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 28-01-2026 **CR. MISC. No. 23853 of 2024 and CR. MISC. No.24262 of**
2024

Heard the parties.

2. The petitioners are named in the Complaint



Case and apprehending their arrest in connection with Complaint Case No. 1101(C) of 2023 registered for the offences punishable under Sections 120(B), 233, 307, 377, 498A, 406, 504, 506, 34 of Indian Penal Code and $\frac{3}{4}$ of D.P. Act.

3. Complainant alleged petitioner namely, Abhinav Shourya being husband to commit mental and physical cruelty upon her alongwith co-accused persons/ family members due to non-fulfillment of demand of dowry. It is also alleged that she was assaulted physically and badly behaved by petitioner on several occasions amounting to cruelty.

4. It is submitted by learned counsel appearing on behalf of the petitioners that soon after solemnization of marriage when complainant realized that petitioner namely, Abhinav Shourya is not a suitable match for her, she left her matrimonial home on her own and thereafter she lodged the present complaint case on the basis of imaginary allegation which can be gathered from the



narration of the complaint itself. It is submitted that the present complaint was filed on 23.06.2023 and just after few days i.e., on 27.06.2023, a divorce petition was filed by complainant before learned Principle Judge, Begusarai. While concluding arguments, it is submitted that petitioner is a man of clean antecedent. Petitioner of Cr. Misc. No. 24262 of 2024 is mother-in-law facing general and omnibus allegation.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that allegation of cruelty is specifically available against petitioner namely, Abhinav Shourya but fairly conceded that complainant is not desirous to continue her marriage with petitioner Cr. Misc. No. 23853 of 2024 and also conceded that the complainant preferred divorce petition as submitted aforesaid.

6. In view of aforesaid factual submission and by taking note of nature of accusation raised through complaint petition, coupled with the fact that complainant



is not desirous to continue her marriage with petitioner as she preferred divorce petition soon after lodging present criminal complaint, accordingly petitioner namely, Abhinav Shourya in Cr. Misc. No. 23853 of 2024 and petitioner namely, Sunita Devi in Cr. Misc. No. 24262 of 2024, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Begusarai /concerned Court, where the case is pending in connection with Complaint Case No. 1101(C) of 2023, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

