IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20996 of 2026

CNR No. BRHC010277422026

Arising Out of PS. Case No.-615 Year-2024 Thana- COMPLAINT CASE District-Kishanganj

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Abhijit Kumar Dey @ Abhijit Dey S/o Late Sujit Kumar Dey Resident of Ruidhasa Nigam Palli, P.S. and District - Kishanganj

... ... Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mausami Das W/o Abhijit Kumar Dey, D/o Misir Kumar Das R/o Ruidhasa Nagar Palli, P.S. and Distt.- Kishanganj, at present R/o Lainpara, near National School, P.S. and Distt.- Kishanganj

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raj Kumar, Advocate
For the Opposite Party/s : Ms. Renu Kumari, A.P.P
For the O.P No.2 : Mr. Sunil Kumar, Adovocate
: Ms. Riya Kashyap, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

6 27-10-2026 Heard Mr. Raj Kumar, learned counsel appearing for the petitioner, learned A.P.P. and O.P No.2.

2. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under sections 85, 115, 126, 352, 351, 308, 318, 61, 3(5) of BNS and section 4 of D.P. Act.

3. As per prosecution case, allegation against petitioner is of matrimonial cruelty and torture with opposite party no.2 for dowry.

4. It is submitted on behalf of the petitioner that this

petitioner is innocent and has falsely been implicated in this case because he happens to be husband of opposite party no.2. Petitioner is ready to keep her with honour and safety. Besides this, petitioner is ready to give Rs. 3000/-per month to opposite party no.2 by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner, being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry and also ousted her to her parents' house. It is further submitted that she has no means of livelihood and is on the verge of starvation.

6. In view of the undertaking of learned counsel for the petitioner as well as condition of opposite party no.2, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Kishanganj, in connection with Complaint Case No. 615

of 2024, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 as well as on the following conditions:-

(i) Opposite party no.2. would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid interim relief per month in the saving bank account of the opposite party no.2.

(iii) In case, petitioner fails to deposit the aforesaid amount of temporary relief/solace for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(iv) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

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