

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26640 of 2025

Arising Out of PS. Case No.-1389 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Chandan Kumar Sah @ Chandan Kumar Son of Late Mahesh Prasad Sah
Resident of village - Vidyapuram Colony, Pani Tanki Sikandarpur, P.S.-
Mojahidpur, District - Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nishu Kumari Wife of Chandan Kumar Sah @ Chandan Kumar Daughter of
Bijay Sah, Resident of village - Vidyapuram Colony, Pani Tanki
Sikandarpur, P.S.- Mojahidpur, District - Bhagalpur. Presently Resident of
village - Ghatroad, Sultanganj, P.S.- Sultanganj, District - Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Khushi Awadh, Adv
For the Opposite Party/s	:	Mr. Arun Kumar, APP
For the O.P. No. 2	:	Mr. Shambhu Saran Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 05-01-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and
apprehending his arrest in connection with Complaint Case No.
1389 of 2023 registered for the offences punishable under
Sections 323, 341, 504, 506, 498A and 120 of the Indian Penal
Code and Sections 3 & 4 of the D.P. Act.

3. As per complaint petition the cruelty was alleged to
be committed upon O.P. No. 2 by petitioner and his family
members due to non-fulfillment of dowry as raised for cash of Rs.
5 lakhs.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that informant/O.P. No. 2 is under habit to lodge this type of case against petitioner just to harass petitioner and entire family members. In support of his submission learned counsel submitted that after lodging the present complaint case, O.P. No. 2 lodged FIR, which has been registered as Mujahidpur P.S. Case No. 333 of 2023 for the offence punishable under Sections 354, 498A, 313, 504, 506 and 34 of the IPC, where petitioner already granted anticipatory bail by learned Trial Court, itself. It is also pointed out that allegation *qua* raising demand of dowry is appearing very much general and omnibus against this petitioner.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that petitioner is the husband facing allegations of cruelty due to non-fulfillment of demand of dowry of Rs. 5 lakhs. It is submitted by learned counsel that there is no order in support of police case as annexed with the present bail petition.

6. Taking contrary to the aforesaid submission learned counsel submitted that all such facts already mentioned on affidavit, which is para no. 3 of the present bail petition.

7. In view of aforesaid factual submission and by taking note of fact as in subsequent police case which admittedly lodged



after three months of present complaint case, the petitioner was granted anticipatory bail by learned Trial Court itself almost with similar allegations, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, 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 Additional Sessions Judge-XIII, Bhagalpur/concerned Court, where the case is pending in connection with Complaint Case No. 1389 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

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