

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27057 of 2026

Arising Out of PS. Case No.-226 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Chandan Kumar Jaiswal @ Chandan Kumar S/o Kanhaiya Jaiswal Resident
of Village - Bhawanipur, P.S. - Sangrampur, District - East Champaran,
Motihari.

... .. Petitioner

Versus

1. The State of Bihar
2. Geeta Kumari Devi W/o Chandan Kumar Jaiswal R/o Resident of Village -
Wazitpur, P.S. - Madhuban, District - East Champaran, Motihari.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-04-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the complaint
petition, is apprehending his arrest in connection with
Complaint Case No. 226 of 2023 registered for the offences
punishable under Sections 498A of the Indian Penal Code.

3. The allegation against the petitioner is to commit
physical and mental cruelty upon the complainant along with
family members due to non-fulfillment of demand of dowry as
raised for one four-wheeler vehicle. It is also alleged that
petitioner and his family members have also kept the *stridhan* of
the complainant while she was ousted from her matrimonial



home.

4. Learned counsel appearing on behalf of the petitioner submitted that allegation as raised through complaint petition cannot be accepted true as same was not made on affidavit contrary to the legal ratio settled through **Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]**. It is submitted that complainant herself left her matrimonial home and joined her parental home due to her temperamental attitude. It is submitted that even the petitioner lodged a case under section 9 of the Hindu Marriage Act for restitution of conjugal life and also to save the marriage with complainant much prior to lodging of complaint case i.e. September 2019. Knowing the fact, in planned and formulated manner, the present complaint case was filed against the petitioner just to harass him and his family members. Petitioner claimed clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as *prima facie* allegation not supported by affidavit, as discussed aforesaid, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on



furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned J.M. F.C., East Champaran, Motihari/concerned court in connection with Complaint Case No. 226 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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