

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27256 of 2026

Arising Out of PS. Case No.-89 Year-2024 Thana- COMPLAINT CASE - JHANJHARPUR
District- Madhubani

Ashok Thakur S/o- Upendra Thakur, R/vill- Tokna Tol PS- Bheja Dist-
Madhubani. Petitioner/s

Versus

1. The State of Bihar.
2. Sumitra Devi W/o- Ashok Thakur R/vill- Tokna Tol PS- Bheja Dist-
Madhubani, Presently Sumitra Devi, D/o Mahendra Thakur, R/o village
Chunni Po- Chunni Ps- Madhepur Dist- Madhubani.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner named in complaint

petition and apprehending his arrest in connection with C.R.

Case No. 89 of 2024 registered for the offences punishable

under Section 498(A) of the IPC and $\frac{3}{4}$ of Dowry Act.

3. The allegation against the petitioner is to

commit mental and physical cruelty upon complainant due to

non-fulfillment of demand of dowry, as raised for cash of Rs.

2.5 lacs and one splendor motorcycle.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that due to obvious domestic differences, upon instigation of parents, the present false case was lodged against petitioner after 18 years of marriage, where admittedly complainant averred that petitioner nothing did wrong with her for long 16 years. It is submitted that the allegation as raised in paragraph-2 regarding putting this complainant on fire is apparently false, for the reason that she received no burn injury out of that. It is submitted that even paragraph-2 suggest that she left her matrimonial home on her own and joined her parental home and from there after 10 days, the present false case was lodged. In this context, it is further submitted that complaint in issue is not supported by affidavit and, therefore, the allegation as raised through complaint petition not be accepted true in view of legal ratio as available through ***Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]***. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as admittedly the complainant did not



receive any injury despite she alleged to put on fire by this petitioner, coupled with the fact that the allegation not appears supported through affidavit in terms of **Priyanka Srivastava's Case (supra)**, 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 S.D.J.M., Jhanjharpur, District- Madhubani/concerned Court, where the case is pending in connection with C.R. Case No. 89 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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