

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29971 of 2026

Arising Out of PS. Case No.-120 Year-2024 Thana- COMPLAINT CASE - ROSERA
District- Samastipur

Vikram Ram, S/o Sri Umesh Ram, R/o Village – Shasan, Ward No. 10, P.S.
-Hasanpur, District - Samastipur

... .. Petitioner

Versus

1. The State of Bihar
2. Kanchan Kumari, W/o Vikram Ram, At present Address - Kanchan Kumari,
D/o Ashok Ram, R/o Village - Maranchi, Indrapath, P.S. - Hasanpur, District
- Samastipur

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Hriday Kant Mishra, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the

complaint and apprehending his arrest in connection with

Complaint Case No.120 of 2024 in which cognizance has

been taken for the offences punishable 498-A of the Indian

Penal Code and Sections 3 and 4 of the Dowry Prohibition

Act.

3. The complainant Kanchan Kumari raised

allegation through her complaint petition that petitioner

being husband along with his family members committed



mental and physical cruelty upon her due to non-fulfilment of demand of dowry as raised for one motorcycle and cash of Rs.50,000/-.

4. It is submitted by learned counsel appearing for the petitioner that the complaint in issue is not supported by affidavit, which is otherwise mandatory in view of Section 175(3) of the BNSS. In support of this submission, learned counsel has relied upon legal report of Hon'ble Supreme Court as available through **Priyanka Srivastava v. State of Uttar Pradesh [(2015) 6 SCC 287]**. It is pointed out that due to this legal reason, the allegation as raised through complaint petition cannot be taken into consideration. While concluding argument, it is submitted that the allegation *qua* demanding dowry, as mentioned aforesaid, is appearing very much general and omnibus against petitioner and other family members.

5. Learned APP opposed the prayer for anticipatory bail of the petitioner.

6. In view of aforesaid factual submissions and by taking note of fact, as the dowry demand, as mentioned



aforesaid, is appearing very much general and omnibus against petitioner, coupled with the fact that complaint in issue is not supported by affidavit, as discussed aforesaid, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Rosera in connection with Complaint Case No.120 of 2024, T.R. No.2473 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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