

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33125 of 2025**

Arising Out of PS. Case No.-87 Year-2023 Thana- JEHANABAD COMPLAINT CASE  
District- Jehanabad

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Chandan Kumar, S/o Umesh Ram, Resident of village-Modanganj, P.S.-  
Ghoshi, District- Jehanabad

... .. Petitioner

Versus

1. The State of Bihar
2. Munni Devi, D/o Indal Das, W/o Niwas Kumar (S/o Lildhari Mochi)  
Resident of village-Mirjapur, P.O.-Pitamberpur, P.S.-Ghoshi, District-  
Jehanabad

... .. Opposite Parties

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**Appearance :**

|                     |   |                             |
|---------------------|---|-----------------------------|
| For the Petitioner  | : | Mr. Manoj Kumar, Advocate   |
| For the State       | : | Mr. Sanjay Kumar Singh, APP |
| For the Complainant | : | Mr. Paras Nath, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

5      06-01-2026                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State duly assisted by  
  
learned counsel for the complainant/O.P. No.2.

2. The accused/petitioner is named in the complaint  
  
petition and apprehending his arrest in connection with  
  
Complaint Case No.87 of 2023 in which cognizance has been  
  
taken for the offences punishable under Sections 323 and  
  
498-A of the Indian Penal Code.

3. Allegation against petitioner is to commit cruelty  
  
upon complainant due to non-fulfilment of additional dowry as



raised for cash of Rs.1 lakh.

4. It is submitted by learned counsel appearing for the petitioner that in fact complainant herself falls in love with maternal cousin brother of petitioner namely, Niwas Kumar, with whom she solemnized marriage and living happily. At this stage, it is submitted that this statement was made on oath in para-8 of the present bail petition. It is further submitted that even from the S.A. of the complainant, it is not clear whether cruelty was committed due to demand dowry or due to female child born with complainant or due to habit of petitioner to talk with different girls over phone. It is submitted that to harass the entire family members, the present false complaint was lodged.

5. Learned APP duly assisted by Mr. Paras Nath, learned counsel appearing for the complainant/O.P. No.2 while opposing the prayer of bail submitted that the complainant is not desirous to live with petitioner and, therefore, the matter be settled accordingly against permanent alimony.

6. In view of aforesaid factual submissions, as



complainant is not desirous to live with petitioner, where the allegation of cruelty also *prima facie* appears doubtful, 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 Chief Judicial Magistrate, Jehanabad in connection with Complaint Case No.87 of 2023, 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').

7. The complainant is free to approach the appropriate forum for divorce/permanent alimony, which be decided in accordance with law.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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