

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29974 of 2026

Arising Out of PS. Case No.-454 Year-2024 Thana- COMPLAINT CASE - NAUGACHIA
District- Bhagalpur

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Gulshan Mandal @ Gulshan Kumar son of Subodh Mandal Resident of
Village - Khagra Garia, Ps- Parbatta, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari Wife of Gulshan Mandal @ Gulshan Kumar Resident of
Village - Garia, Ps- parbatta, Dist- Bhagalpur at Present of Village-
Lakshminiya Ps- Rupuli, Dist- Purnia

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-05-2026 Heard the parties.

2. The petitioner is named in the complaint case
and apprehending his arrest in connection with complaint
Case No. 454 of 2024 registered for the offences punishable
under Sections 126(2), 115(2), 352, 351(2), 03, 303, 85,
86 of BNS AND $\frac{3}{4}$ of D.P. Act.

3. As per complaint, petitioner alongwith family
members alleged to commit mental and physical cruelty
upon complainant/ OP No. 2 due to non fulfillment of
demand of dowry as raised for cash of Rs. 2 lakh.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that complaint not appears supported through affidavit and therefore, the contention raised thereof cannot be accepted as true in view of Section 175(3) of BNSS, in support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]***. It is submitted that beside aforesaid legal aspect allegation qua demand of dowry as raised by complainant/ wife against petitioner is very much general and omnibus in nature and his prayer of anticipatory bail was rejected by learned trial court only for the reason that petitioner is husband. While concluding arguments, it is submitted that petitioner being husband is ready to settle the issue with complainant.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as allegation *qua* committing cruelty due to non-fulfillment of demand of dowry as mentioned aforesaid appearing very much general and omnibus in nature against petitioner, coupled with the fact that the



complaint in issue also not appears supported through affidavit in terms of legal provisions as discussed aforesaid, 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 ACJM II, Naugachia, Bhagalpur /concerned Court, where the case is pending in connection with complaint Case No. 454 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

7. Parties may settle their issues during trial at any stage.

(Chandra Shekhar Jha, J)

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