

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31794 of 2026

Arising Out of PS. Case No.-64 Year-2025 Thana- MAHILA P.S. District- Madhubani

1. Awnit Kumar, son of Ajay Kumar, Resident of Village -Naya Tola Sad Bahwana Nagar, Ps- Muzaffarpur (Sadar) Dist- Muzaffarpur
2. Ajay Kumar, Son of Rameshwar Prasad, Resident of Village -Naya Tola Sad Bahwana Nagar, Ps- Muzaffarpur (Sadar) Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi, Wife of Om Prakash Sah, Resident of Village - Mahila college road, Ward no. 23, Ps- Madhubani Town, Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Madhubani Mahila P.S. Case No. 64 of 2025 dated 01.12.2025 instituted for the offence punishable under Sections 318(4), 3(5) of the *Bhartiya Nyaya Sanhita*, 2023 and Section 3/4 of the Dowry Prohibition Act.

3. The prosecution case, in short, is that the marriage of the informant's daughter was fixed with Vivek Kumar, who is son of petitioner no. 2. On 05.06.2025, the ring ceremony was performed. Thereafter, the petitioners and his family members demanded ten lakh rupees, 10 Tola gold & a Brezza car as dowry



and thereafter they will fix the date of marriage.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 is the younger brother of the main accused, namely Vivek Kumar and petitioner no. 2 is the father of the said Vivek Kumar. The petitioners never refused to fix the date of marriage, rather, it was the informant's daughter, Priyanka Kumari @ Varsha, who during telephonic conversation with Vivek Kumar, stated that she was not at all interested in marrying with him as she is involved with her colleague working in the same company, namely, Reliance Jio Centre, Madhubani. The allegation for refusal of marriage is not only on part of the petitioners rather the said refusal has been made by the girl. The petitioners never demanded any dowry for solemnizing the said marriage. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Madhubani Mahila P.S. Case No. 64 of 2025, they will be released on bail upon furnishing



bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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