

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32426 of 2025

Arising Out of PS. Case No.-76 Year-2023 Thana- COMPLAINT CASE District- Lakhisarai

Akash Kumar, S/o Doman Sao, R/o Village- Harla, P.O. and P.S.- Laxmipur,
District- Jamui

... .. Petitioner

Versus

1. The State of Bihar
2. Sita Devi, resident of village-Jankidih Beldariya, P.S- Chanan, District-
Lakhisara

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Shailesh Anand, Advocate Mr. Sukesh Ranjan, Advocate
For the Opposite Party/s :		Mrs. Pronoti Singh, APP
For the O.P. No.2	:	Mr. Munish Kumar, Advocate Ms. Minakshi Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 21-01-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for complainant/O.P. No.2.

2. The accused/petitioner is named in the complaint

petition and apprehending his arrest in connection with

Lakhisarai Complaint Case No.76 of 2023 in which cognizance

has been taken for the offences punishable under Sections 498-

A and 313 of the Indian Penal Code as well as Sections 3 and 4

of the Dowry Prohibition Act.

3. Allegation against petitioner is to commit cruelty

upon complainant/O.P. No.2 due to non-fulfilment of demand of



dowry as raised for cash of Rs.2 lakhs. The allegation of physical assault is also available against petitioner.

4. It is submitted by learned counsel appearing for petitioner that the petitioner never solemnized marriage with complainant/O.P. No.2. In support of his submission, it is pointed out that through complaint petition it was stated by complainant/O.P. No.2 that her marriage with this petitioner was solemnized at Jallappa Asthan, Lakhisarai, whereas as per Annexure P/4, which is a certificate issued by Gram Panchayat Raj, Jankidih that the marriage of petitioner with complainant solemnized at Jankidih. It is submitted that as complainant was a tenant with sister of petitioner, in that capacity petitioner was acquainted with her and out of said acquaintance, the present implication was raised.

5. Arguing further, it is submitted that even from perusal of complaint petition, it can be gathered safely that allegation *qua* physical assault and raising demand of dowry appears very much general and omnibus in nature.

6. Learned APP duly assisted by learned counsel appearing for informant while opposing the prayer of bail submitted that place of marriage can not be decided in present



proceeding. However, he conceded the contradiction as pointed out by the learned counsel appearing for the petitioner, as mentioned aforesaid.

7. Let it be so, as allegation *qua* physical assault and raising demand of dowry *qua* petitioner appearing very much general and omnibus in nature, 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, Lakhisarai in connection with Lakhisarai Complaint Case No.76 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’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

