

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34662 of 2025

Arising Out of PS. Case No.-198 Year-2023 Thana- COMPLAINT CASE-ARWAL District-
Arwal

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Shiv Chand Kumar S/o Laxman Choudhary Resident of Village- Dhorha
(Ghorha) Tankuppa, P.O.- Tankuppa, P.S.- Konch, Dist- Gaya

... .. Petitioner

Versus

1. The State of Bihar
2. Soni Kumari aged about 25 years Female Husband of Shiv Chand Kumar
daughter of Kameshwar Choudhary R/o Village - Dakra P.S. - Kurtha
District - Arwal.

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Kamlesh Kumar, Advocate Mr.Pawan Kumar Singh, Advocate
For the State	:	Mr.Anil Kumar Singh No.1, APP
For the Informant	:	Mr.Ranjay Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 13-01-2026 Heard learned counsel for the petitioner and learned

APP for the State duly assisted by Mr. Ranjay Kumar Singh,

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

2. At the outset, it is submitted by learned counsel

appearing for the petitioner that inadvertently the petitioner

missed to mention his criminal antecedent in paragraph ‘3’ of

the present anticipatory bail petition. It is submitted that

petitioner found involved in one criminal antecedent i.e.

Daudnagar P.S. Case Non. 343 of 2023.

3. Considering aforesaid submission, learned counsel



for the petitioner is permitted to make necessary correction in paragraph '3' of the present anticipatory bail petitioner during course of the day itself under his own signature.

4. The accused-petitioner, named in the complaint, is apprehending his arrest in connection with Complaint Case No. 198 of 2023 registered for the offences punishable under Sections 498A and 323 of the Indian Penal Code.

5. As per complaint, the petitioner alleged to commit cruelty upon the complainant/O.P. No. 2 alongwith other co-accused persons/family members due to non-fulfillment of demand of dowry. He was also alleged to assault the complainant/O.P. No. 2 and further alleged to solemnize marriage with another lady namely, Kajal Kumari.

6. Learned counsel appearing on behalf of the petitioner submitted that in fact the complainant/O.P. No. 2 committed cruelty against this petitioner raising false allegation completely on the basis of suspicion that this petitioner is in relationship with one Kajal Kumari, which is totally incorrect.

7. It is submitted that as this complainant/O.P. No. 2



is not desirous to continue her married life with this petitioner, she raised such type of false allegation against this petitioner and asking for one time settlement by dissolving her marriage with this petitioner. Having no other option, it is submitted that this petitioner being a labour class person having no regular source of income is ready to pay Rs. Four Lakhs to the complainant/O.P. No. 2, but the complainant/O.P. No. 2 is rigid to agree with alimony of Rs. Seven Lakhs only.

8. Learned A.P.P. for the State duly assisted by Mr. Ranjay Kumar Singh, learned counsel appearing for the complainant/O.P. No. 2, while opposing the prayer for anticipatory bail of the petitioner, submitted that petitioner solemnized marriage with one Kajal Kumari with whom he was initially in illicit relationship. It is conceded that complainant/O.P. No. 2 is desirous to dissolve her marriage with this petitioner against permanent alimony of Rs. Seven Lakhs, as discussed aforesaid.

9. In view of the aforesaid, without making any comment to the difference of the permanent alimony, as parties agreed to dissolve their marriage, what *prima facie*



appears from the submissions as discussed aforesaid, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned J.M. - 1st Class, Arwal/concerned court in connection with Complaint Case No. 198 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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