

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35948 of 2025

Arising Out of PS. Case No.-2140 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Ashik Kumar @ Ashik Sharma S/o Mahadev Thakur Resident of village-
Bakhari Tola, Barawa, P.S.- Kalyanpur, District- East Champaran. In the
impugned order P.S.- Lalyanpur wrongly mentioned. Petitioner/s
Versus

1. The State of Bihar.
2. Priti Devi @ Rajni Devi D/o Ramayan Thakur, W/o Ashik Kumar @ Ashik
Sharma, R/o vill - Bakhari Tola, Barawa, P.s.- Kalyanpur, Distt.- East
Champaran, Presently Residing at vill - Jasauli Patti, P.S.- Kotwa, Distt.-
East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 21-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Complaint Case No. 2140 of 2019 registered for

the offences punishable under Section 498(A), 379, 34 of the

Indian penal Code and $\frac{3}{4}$ of Dowry prohibition Act.

3. As per complaint, the allegation against the petitioner

is to commit cruelty upon the complainant due to non-fulfillment of

demand of dowry, as raised for cash of Rs. one lacs and one

glamour motorcycle alongwith other co-accused persons/family

members.



4. It is submitted by learned counsel appearing on behalf of the petitioner that allegation *qua* demand of dowry is appearing very much general and omnibus. It is submitted that this complaint petition appears to be filed after delay of two and half years as same can be gathered from the complaint itself as complainant categorically stated through her complaint that she returned to her parental home immediately after six months of her marriage, which admittedly took place in year 2018. It is submitted that said inordinate delay not appears explained. It is pointed out that demand of dowry, mental cruelty and committing physical cruelty is also appearing very much general and omnibus in nature.

5. Learned APP opposed the prayer of bail.

6. Mr. Abhishek Kumar, learned counsel appearing on behalf of the informant, while opposing the prayer of bail submitted that the allegation of committing cruelty is available against petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as the allegation *qua* committing mental and physical cruelty against petitioner appears very much general and omnibus in nature, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court,



within a period of four weeks of the order, 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 2nd Additional Sessions Judge, East Champaran at Motihari/concerned Court, where the case is pending in connection with Complaint Case No. 2140 of 2019 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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