

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35524 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- MAHILA P.S. District- Madhepura

Bimal Kumar Jha S/O Late Bhudeo Jha R/O Village- Vishanpur (Parva Navtal Panchayat), P.S- Murliganj, Distt.- Madhepura, at present resident of Village- Murliganj, Ward No.-13, P.S- Murliganj, Distt.- Madhepura.

... .. Petitioner

Versus

1. The State of Bihar
2. Champa Kumari W/O Bimal Kumar Jha, D/O Gajendra Khan R/O Village- Bargayan Ward No. 3, P.S- Basnahi, Distt.- Saharsa.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 04-02-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Madhepura Mahila P.S. Case No. 04 of 2024 registered for the offences punishable under Sections 341, 323, 498A, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The allegation against the petitioner is to commit mental and physical cruelty upon the informant due to non-fulfillment of demand of dowry as raised for one bullet motorcycle and cash



of Rs. Two Lakhs.

4. Learned counsel appearing on behalf of the petitioner submitted that allegation *qua* mental and physical cruelty as raised against the petitioner is very much general and omnibus in nature. It is submitted that only to aggravate the allegation petitioner was alleged to advance threat for solemnizing second marriage. It is further submitted that as per FIR, last occurrence took place on 10.12.2023 but same was lodged on 07.02.2024, almost after two months without having any just explanation. Petitioner claimed clean antecedent.

5. Learned A.P.P. for the State, while opposing the prayer for anticipatory bail of the petitioner, submitted that petitioner forced the informant to live her life in destitution and he is also not complying the direction of learned Family Court, Madhepura as passed for an ad-interim maintenance, where learned Family Court granted interim monthly maintenance of Rs. 7000/- per month to the informant, however, learned A.P.P.



fairly conceded that separate execution petition was preferred by the informant for execution of aforesaid order before the learned Family Court itself.

6. In view of aforesaid factual submission and by taking note of the fact as allegation *qua* mental and physical cruelty upon the informant as alleged to be committed by the petitioner appearing very much general and omnibus in nature, coupled with the fact that FIR was also lodged with a delay of about two months, 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 Sub-Divisional Judicial Magistrate, Madhepura/concerned court in connection with Madhepura Mahila P.S. Case No. 04 of 2024, 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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