

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36980 of 2026

Arising Out of PS. Case No.-1902 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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CHANDAN KUMAR @ CHANDAN RAI S/O- SULENDRA RAI @
SURENDRA RAY R/O- VILL DARBA @ DARWA, P.S- TAJPUR,
DISTRICT- SAMASTIPUR, STATE-BIHAR

... .. Petitioner/s

Versus

1. The state of Bihar
2. HIRA KUMARI D/O-MUNARIK RAI W/O- CHANDAN KUMAR @
CHANDAN RAI, R/O- DARBA @ DARWA, P.S- TAJPUR, DISTRICT-
SAMASTIPUR, STATE-BIHAR. AT PRESENT R/O-VILLAGE-
CHAMTHA, WARD NO. 02, P.S-BACHWARA, DISTRICT-
BEGUSARAI.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv
For the Opposite Party/s : Mr.Sanjay Kumar, APP
Mr. Sarvottam Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-07-2026 1. Heard learned counsel for the petitioner and

learned APP for the State and learned counsel appearing on

behalf of the OP No. 2.

2. The learned A.P.P., at the outset, submits that

from perusal of the anticipatory bail application, it

manifests that petitioner is seeking anticipatory bail in

Complaint Case No.1902C of 2024, in which cognizance

has been taken under Section 498A of the I.P.C read with

Section 4 of the Dowry Prohibition Act. It is next submitted



that after cognizance is taken, summons are issued and if petitioner based on summons appears before the learned Trial Court, the petitioner will not be arrested rather will join the proceedings before the learned Trial Court and for the said submission relies on an order of the Hon'ble Supreme Court in S.L.A. (Criminal) No.16221 of 2025 (Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika vs. the State of Jharkhand and another) disposed of by an order dated 23.04.2026 and relies on Para-8, 9 and 10 of the said order.

3. The learned counsel appearing on behalf of the petitioner submits that petitioner being husband has been falsely implicated in the instant case and the dispute is matrimonial, but then, is not in a position to rebut the submission made by the learned APP that since summons has been issued, the petitioner ought to have appeared before the learned Trial Court for joining the proceedings, but then fairly submits that only summons till date has been issued.

4. Learned counsel appearing on behalf of the OP No. 2 also does not dispute the submission made by the



learned counsel appearing on behalf of the petitioner that only summons has been issued.

5. After hearing the learned counsel for the parties, the anticipatory bail application is disposed of with a liberty to the petitioner to appear before the learned Trial Court on or before 30.07.2026 with a copy of the order dated 23.04.2026 in S.L.A. (Criminal) No.16221 of 2025 (Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika vs. the State of Jharkhand and another) and the learned Trial Court shall proceed strictly in accordance with the order of the Hon'ble Supreme Court.

6. At this stage, the learned counsel appearing on behalf of the petitioner asserts and submits that till date non-bailable warrant has not been issued against the petitioner.

(Satyavrat Verma, J)

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