

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38764 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- NAUHATTA District- Saharsa

Sonu Jha @ Sonu Kumar Jha, S/o Manikant Jha, R/o Village-Mohanpur, P.S.-
Nauhatta, Distt-Saharsa

... .. Petitioner

Versus

1. The State of Bihar
2. Kalpna Kumari, wife of Sonu Kumar Jha R/o Mohanpur, P.S.- Nauhatta,
Distt-Saharsa At present R/o Village-Bijalpur Puranwas, P.S.- Supaul, Distt-
Supaul

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 22-01-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Nauhatta P.S.
Case No.8 of 2025 registered under Sections 126 (2), 115,
303(2), 82, 85, 352, 351(2), 351(3) read with 3(5) of the
Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.') as well as
Sections 3 and 4 of the Dowry Prohibition Act.

3. Allegation against petitioner is to commit cruelty
upon informant/O.P. No.2 due to non-fulfilment of Rs. 1 lakh
as dowry. The allegation of physical assault is also available



against this petitioner.

4. It is submitted by learned counsel appearing for petitioner that even as per written information of informant, it nowhere appears that the demand was raised as dowry rather it was asked to run business venture. It is submitted that in actual, the informant herself left the society of petitioner and after returning to her parental home, solemnized her marriage with one Mukesh Kumar Jha, son of Late Bhagwan Jha, resident of village-Dwalakh, Bheja, Distt.- Madhubani. It is submitted that the said fact was collected by petitioner exercising his right as available under Right to Information Act, 2005 and was made available by P.I.O.-cum-S.D.M., Supaul.

5. The information under R.T.I. as received from P.I.O.-cum-S.D.M., Supaul submitted across the board, which was taken on record.

6. Learned APP has opposed the prayer of bail.

7. Despite of service of notice, none turned up to join the present pending proceeding on behalf of O.P. No.2.

8. In view of aforesaid factual submissions and by



taking note of fact as information received under R.T.I. *prima facie* suggest that informant/O.P. No.2 solemnized her marriage with some one else, subsisting her marriage with petitioner, coupled with fact that the allegation of demand of money *prima facie* not appears to be asked as dowry, 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 Judicial Magistrate-1st Class, Saharsa in connection with Nauhatta P.S. Case No.8 of 2025, 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	
---	--	---	--

