

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41949 of 2026**

Arising Out of PS. Case No.-984 Year-2021 Thana- SARAN COMPLAINT CASE District-
Saran

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Mantu Rai S/O Lagandeo Rai @ Lagan Dev Yadav R/O Village- Lerua, P.S.-
Maharajganj, Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Devi D/O Lal Bahadur Rai, W/O Mantu Rai R/O Village- Auli Gachhi,
P.S.- Rivilganj, Distt.- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

2 29-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 341, 323, 379, 498(A), 494, 307, 504/506 of I.P.C. and Section 3/4 of Dowry Prohibition Act.

3. The case of the prosecution, in short, is that the complainant was married to this petitioner in year 2015. It is further alleged that she was subjected to cruelty on account of non-fulfillment of dowry demand of a bike and Colour Television. She has also a daughter out of the wedlock. After that, the behavior of her in-laws became more torturous. They started her assaulting. It is further alleged that on 20.12.2018,



she was ousted from the matrimonial house and was threatened that if bike and Colour T.V. were not provided to them then they will not permit her to enter in the matrimonial house. A *Panchayati* was also held. It is also alleged that an attempt was made to kill the complainant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that actually, the petitioner has been deserted by the complainant. It has further been submitted that it is a matrimonial dispute. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 21.04.2026.

5. On being asked, as to whether the petitioner is ready to keep his wife, the learned counsel for the petitioner has blatantly refused.

6. Learned counsel for the petitioner has referred the judgment of Hon'ble Apex Court in the case of **Arnesh Kumar v. The State of Bihar** and **Satender Kumar Antil v. Central Bureau of Investigation**. The Hon'ble Apex Court has held in the case of **Arnesh Kumar v. The State of Bihar** which is being given hereunder:-



“Section 498-A of the IPC was introduced with avowed object to combat the menace of harassment to a woman at the hands of her husband and his relatives. The fact that Section 498-A is a cognizable and non-bailable offence has lent it a dubious place of pride amongst the provisions that are used as weapons rather than shield by disgruntled wives. The simplest way to harass is to get the husband and his relatives arrested under this provision.”

7. Learned APP appearing for the State has vehemently opposed the application for bail.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saran at Chapra in connection with Complaint Case No. 984 of 2021 **with the condition that the petitioner and the complainant shall settle their dispute before the Mediation Centre of Chapra.**

(Ashok Kumar Pandey, J)

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