IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50695 of 2026

CNR No. BRHC010601402026

Arising Out of PS. Case No.-79 Year-2026 Thana- AMAS District- Gaya

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Deepak Kumar Singh son of Basudeo Singh Resident of village- Sheikhwara PS- Magadh University Dist -Gaya Ji Presently Residing At Magrolra Sports City Kalyani Expressway Opp. Indian Oil Petrolpump Babrpur Jakarpur PS -Titagarh Dist -Barrackpore, West Bengal

... ... Petitioner/s

Versus

1. The State of Bihar
2. Neha Rani Daughter of Ram Lakhan Prasad Resident Of Village- Alaudichak, Ps- Amas, Dist- Gaya Ji

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shivendra Prasad, Advocate
For the State : Mr. Kumar Ranjit Ranjan, APP
For the O.P. No. 2 : Mr. Parth Gaurav,Advocate
Mr. Ashutosh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

3 27-10-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

2. The Petitioner is apprehending his arrest in connection with Amas P.S. Case No. 79 of 2026 registered for the offence punishable under Sections 85 of the B.N.S.

3. As per the prosecution case, on 05.06.2025, the marriage of informant Neha Rani was solemnized with petitioner as per Hindu rites and rituals. She further alleged that at the time of marriage, household articles worth Rs. 7,00,000/-

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and jewellery worth Rs.10,00,00/- were given. After the marriage, the informant went her matrimonial home where her husband and his family members started demanding additional dowry in the form of Rs.10,00,000/- and a golden chain and due to non-fulfillment they started torturing the informant physically and mentally. Ultimately, due to non-fulfillment of demand of additional dowry, the accused persons ousted the informant from her matrimonial home.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the petitioner filed Matrimonial Suit No. 2479 of 2025 under Section 12(1) of the Hindu Marriage Act, in which notice was duly served upon the informant. It has further been submitted that, by judgment dated 05.03.2026, the learned Additional District Judge, FTC-2nd, West Bengal, annulled the marriage between the petitioner and the informant by a decree of nullity. Moreover, the said suit proceeded *ex-parte* and the order records a finding that notice had been duly served upon the informant. It has also been submitted that the present case was lodged on the very next day, i.e., 06.03.2026, after the marriage between the petitioner and the informant was annulled. Learned counsel has further

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submitted that the present case is malicious and vexatious one. Lastly, it has been submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the informant has submitted that the informant never received notice in the said matrimonial suit. It has further been submitted that the informant has preferred an appeal against the order passed by the Family Court. Learned counsel has also submitted that the matrimonial suit was deliberately filed in the State of West Bengal, whereas both parties ordinarily reside in Gaya, Bihar.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, as well as the fact that the marriage between the petitioner and the informant was solemnized on 05.06.2025, whereafter the informant started residing at her parental home, the marriage was never consummated, coupled with the facts that despite service of notice in the matrimonial suit, the informant did not appear in the said proceedings and the present FIR was lodged on the very next day after the competent court

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passed the decree of nullity, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya Ji, in connection with Amas P.S. Case No. 79 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. Accordingly, the present application stands allowed.

(Praveen Kumar, J)

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