

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46231 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- KAJRA District- Lakhisarai

Shrawan Kumar @ Sharwan Tanti, Son of Late Dukhan Tanti, R/o Village-Shrighana, P.S.- Kajra, Dist.- Lakhisarai

... .. Petitioner

Versus

1. The State of Bihar
2. Anupa Devi, Wife of Shrawan Kumar @ Shrawan Tanti, Daughter of Bholu Prasad, R/o Village-Shrighana, P.S.- Kajra, Dist.- Lakhisarai. At Present Residing at 4/998, Ward No. 8, Near Sewa Palace, Chand Avenue, Ratan Singh Chowk, ST2, Amritsar, Punjab, Pin-143001.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 05-01-2026 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 Kajra P.S. Case No.90 of 2023 registered under Sections 498-A and 506 read with 34 of the Indian Penal Code.

3. Allegation against petitioner is to commit cruelty upon O.P. No.2 for the reason that he was alleged to be in relationship with wife of his elder brother.

4. It is submitted by learned counsel appearing for



petitioner that even the face of FIR is speaking that no cruelty as alleged was committed due to demand of dowry rather merely on the basis of suspicion that the petitioner was in relationship with wife of his elder brother, he was falsely implicated with this criminal prosecution. It is submitted that the present false implication was raised upon instance of parents of O.P. No.2. It is pointed out that the marriage of petitioner with O.P. No.2 was solemnized 15 years ago and they have one female child aged about 13 years. The petitioner claimed clean antecedent.

5. Despite service of notice, none appeared on behalf of O.P. No.2.

6. Learned APP appearing for the State while opposing the prayer of bail submitted that the allegation is specifically available against this petitioner, who is husband of O.P. No.2.

7. In view of aforesaid factual submissions and by taking note of fact as the allegation of cruelty *prima facie* appears to be raised in the background of suspicion *qua* relationship of petitioner with wife of his elder brother,



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 Sub-divisional Judicial Magistrate, Lakhisarai in connection with Kajra P.S. Case No.90 of 2023, 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/-

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