IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45588 of 2026

CNR No. BRHC010647302026

Arising Out of PS. Case No.-78 Year-2026 Thana- DUMARIAGHAT District- East Champaran

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Satyam Patel @ Satyam Kumar S/O Vipalendra Patel @ Bimlendra Prasad Resident of Village- Pakari Dumaria, Panchayat- Dhakshin Bhawanipur, P.S.- Dumariaghat, District- East Champaran

... ... Petitioner/s

Versus

1. The State of Bihar
2. Ragni Kumari W/O Satyam Patel @ Satyam Kumar, D/O Rajeshwar Patel Resident of Village at present- Dhangarha, P.S.- Dumariaghat, District- East Champaran

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Karandeep Kumar, Adv.
For the State : Ms. Meena Singh, APP
For the Informant : Mr. Shashank Shekhar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

6 23-11-2026 Heard learned Advocates appearing for the respective parties.

2. The petitioner, who happens to be husband of O.P. No.2, is apprehending his arrest in connection with Dumariyaghat P.S. Case No.78 of 2026, registered for the offences punishable under Sections 115(2), 85, 74, 351(2), 3(5) of the BNS and Section 3/4 of the Dowry Prohibition Act.

3. Considering the nature of the allegations and the fact that the dispute has arisen out of matrimonial discord between the husband and wife, the parties were granted an

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opportunity to resolve their dispute amicably. However, it has been informed that the efforts towards an amicable settlement could not succeed.

4. Learned Advocate appearing on behalf of the petitioner submitted that the allegations of demand of dowry and torture on account of non-fulfilment of the same are wholly concocted and baseless. It is further submitted that the actual dispute arose when the informant insisted upon living separately from the petitioner's parents, and upon the petitioner's refusal to accede to the said demand, the present case came to be instituted. It is further submitted that, on 04.03.2026, it was, in fact, the family members of the informant who trespassed into the petitioner's house and assaulted the members of his family, in connection with which a complaint case has also been instituted. In order to demonstrate his bona fides, the petitioner has also instituted Matrimonial Restitution Case No. 136 of 2026 under Section 9 of the Hindu Marriage Act against the informant before the learned Family Court, Motihari. So far as the injuries sustained by the informant's uncle are concerned, the same have been reported to be simple in nature and caused by a hard and blunt substance.

5. On the other hand, learned APP for the State,

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assisted by learned Advocate appearing on behalf of the informant, vehemently opposed the prayer for bail and submitted that the present case is not confined to an offence under Section 498A of the IPC alone. Rather, the petitioner and the other accused persons, in furtherance of their demand for dowry, subjected the informant and her other family members to torture and brutally assaulted them.

6. At this juncture, learned Advocate appearing on behalf of the petitioner submitted that, in compliance with the order dated 20.07.2026 passed by this Court, the petitioner has been regularly paying a sum of Rs. 3,000/- per month to the complainant.

7. Having considered the rival submissions advanced on behalf of the parties and taking into consideration the fact that the dispute has primarily arisen out of matrimonial discord, the pendency of Matrimonial Restitution Case No. 136 of 2026 before the learned Family Court, Motihari, as well as the submission that the petitioner has been paying a sum of Rs. 3,000/- per month to the complainant in compliance with the earlier order of this Court, this Court is inclined to enlarge the petitioner on bail.

8. Accordingly, let the above named petitioner, be

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released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran, Motihari in connection with Dumariyaghat P.S. Case No.78 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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