

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53124 of 2024

Arising Out of PS. Case No.-2268 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Dadan Singh, son of Late Ram Bachan Singh, Village- Uttardahan, P.O. and
P.S. - Manudihari, District - Bhojpur At P/A- H/O- Rakesh Yadav, Punaichak,
Ps- Shastrinagar, Dist- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Lovely Kumari, Wife of Dadan Singh, Village- RMS Colony, PS -
Kankarbagh, Dist- Patna

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Samrendra Jha, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 02-02-2026 Heard learned counsel for the petitioner and learned

APP for the State.

2. The accused-petitioner, named in the complaint, is

apprehending his arrest in connection with Complaint Case

No. 2268(C) of 2020 registered for the offences punishable

under Sections 498A, 323, 341, 506 of the Indian Penal Code

and Section 3/4 of the Dowry Prohibition Act.

3. As per complaint, petitioner alleged to commit

mental and physical cruelty upon the complainant/O.P. No.2

due to non-payment of cash as demanded to purchase a piece

of land particularly when he got government services in Bihar



Vidhan Sabha.

4. It is submitted that present complaint was lodged in the year 2020, where after inquiry, cognizance, vide order dated 09.08.2023, was taken. It is submitted that when this matter was pending for inquiry, to harass the petitioner, complainant further lodged one FIR almost with same allegation which was registered as Kankarbagh P.S. Case No. 941/2021, where petitioner was given benefit of section 41A of Cr.P.C., and, subsequently, upon surrender he was granted bail by learned trial court itself.

5. It is submitted that even the allegation is not available *qua* demand of dowry rather some cash was demanded to purchase a piece of land. It is also submitted that allegation of committing mental and physical cruelty is appearing very much general and omnibus in nature against the petitioner.

6. Upon repeated call, none appeared on behalf of the complainant/O.P. No.2 to oppose the anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by



taking note of the fact as complainant/O.P. No.2 is under habit to lodge criminal case against the petitioner with similar set of allegation, where in police case he was granted bail by the learned trial court itself, coupled with the fact that allegation *qua* committing mental and physical cruelty against the complainant/O.P. No.2 is appearing very much general and omnibus in nature, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna/concerned court in connection with Complaint Case No. 2268(C) of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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