

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50866 of 2024

Arising Out of PS. Case No.-1038 Year-2023 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Aman Vishwakarma Son of Ramrekha Vishwakarma R/O Vill.- Mastul, Barun
P.s.- Barun, Dist.-Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anushka Devi W/O Aman Vishwakarma D/O Ramnandan Vishwarkarma
R/O Vill.- Mastul, Barun P.s.- Barun, Dist.-Aurangabad, At Present R/O
Vill.- Kunda, P.s.- Mufassil, Dist.- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv
For the Opposite Party/s : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 29-01-2026 Heard the parties.

2.The petitioner is named in the complaint case and
apprehending his arrest in connection with complaint Case No.
1038 of 2023 registered for the offences punishable under
Sections 323, 498A of IPC.

3. The allegation against petitioner is to commit
mental and physical cruelty upon complainant due to non-
fulfillment of demand of dowry.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that subsequent to this complaint
petition, the complainant lodged another FIR also for same



allegation which was lodged as Barun P.S. Case No. 555 of 2023 on 08.11.2023 in which petitioner was granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 51743 of 2024 dated 16.01.2025. It is pointed out that in terms of court order, petitioner is regularly paying Rs. 3,000/- per month as an ad-interim maintenance. While concluding argument, it is submitted that allegation *qua* committing mental and physical cruelty and also demanding dowry appears very much general and omnibus in nature.

5. It is further pointed out that notice as issued to complainant was received by her mother with whom she is residing and for said effect jointness *qua* O.P. No. 2 with her mother was filed on affidavit.

6. Considering aforesaid, notice deemed validly served upon O.P. No. 2.

7. Despite of service of notice none appeared on behalf of complainant/O.P. No. 2.

8. Learned APP opposes the prayer of bail.

9. In view of aforesaid factual submission and by taking note of fact as petitioner already granted bail regarding



same occurrence for which a separate FIR was lodged by the complainant subsequent to lodging this complaint petition as discussed aforesaid, coupled with the fact that allegation *qua* committing cruelty is appearing very general and omnibus in nature, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad/concerned Court, where the case is pending in connection with complaint Case No. 1038 of 2023, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

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