IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48898 of 2026
CNR No. BRHC010702482026
Arising Out of PS. Case No.-49 Year-2025 Thana- MAHILA P.S. District- Araria

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Anant kumar sah son of Rajesh Prasad sah Resident Of Village- Balchanda, Ward No 05, PS- Kursakanta District -Araria. ... ... Petitioner/s

Versus

1. The State of Bihar
2. Dulari Kumari Daughter of Ramchandra Mahto Resident Of Village- Balchanda, Ward No 05, PS- Kursakanta District -Araria

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anamul Haque, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

5 27-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State. Despite issuance of notice and receipt of the same by the father of opposite party no.2, who has stated that he has no information about the whereabouts, reminder was also sent but opposite party no.2 failed to appear.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 85, 82(1), 89, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The petitioner along with other co-accused is said to have tortured, assaulted and drove out the opposite party no.2 from her matrimonial home on non-fulfillment of demand of dowry.

4. It is submitted by learned counsel for the petitioner that the marriage between the parties was solemnized in the year 2019 and they were blessed with a girl child, who is staying with the

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petitioner. As a matter of fact, the opposite party no.2 herself deserted the petitioner and left with someone else. The petitioner had taken her to Delhi but she fled away from that place and it is only after panchayati, she rejoined and again fled away by taking ornaments of her mother-in-law, cash and other valuable articles. The petitioner had also lodged an F.I.R. against the opposite party no.2. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation.

5. Learned APP for the State opposed the prayer for bail.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the case arises out of a matrimonial dispute and the petitioner is taking care of the girl child, let the above named petitioner, be 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Araria Mahila P.S. Case No. 49 of 2025, subject to the condition as laid down under Section 482 (2) of the BNSS.

(Soni Shrivastava, J)

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