

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59051 of 2024

Arising Out of PS. Case No.-58 Year-2022 Thana- MAHILA P.S. District- Nalanda

Chandan Kumar S/o- Suresh Prasad Village- Halimpur, P. S. - Nayaramnagar,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narsingh Tanti, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 02-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Mahila P.S. Case No. 58 of 2022 registered for the offences punishable under Sections 498A, 341, 323, 506, 34 of IPC and Section 3/4 DP Act.

3. The allegation against petitioner is to commit mental and physical cruelty upon informant/ O.P. No. 2 due to non-fulfillment of demand of dowry as raised for cash of Rs. 20 lakh.

4. It is submitted by learned counsel appearing on behalf of the petitioner that in fact out of temperamental issues, the informant/ O.P. No. 2, is not willing to continue



her marital relation with petitioner. It is submitted that for maintenance issue the matter is pending before learned family court, where as interim measure the petitioner is regularly paying Rs. 18,000/- as maintenance. It is also submitted that the petitioner is facing general and omnibus allegation qua committing mental and physical cruelty and the amount which alleged to be paid to this petitioner was in actually paid to his elder brother out of professional relationship between him and the father of the informant. While concluding argument, it is submitted that petitioner claimed clean antecedent.

5 Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that the allegation is specific against this petitioner being husband and he forced informant and her child to live in destitution as he is not even paying maintenance to them, in terms of learned family court order.

6. Taking note of aforesaid submission, learned counsel for the petitioner submitted that if it is so as the matter is pending before the learned family court, the



informant/ O.P. No. 2 may approach there by filing appropriate petition/ execution, if so advised.

7. In view of aforesaid factual submission and by taking note of fact as *prima-facie* allegation *qua* committing mental and physical cruelty against petitioner 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 SDJM, Nalanda at Biharsharif /concerned Court, where the case is pending in connection with Mahila P.S. Case No. 58 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

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