

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60529 of 2024

Arising Out of PS. Case No.-600 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Shyam Sundar Chaudhary @ Shyam Sundar Kumar Son of Kuber Chaudhary
R/o Village- Khurd Pipar Tola Ps- Dhansoi Dist- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manju Devi D/o- Manoj Kumar Chaudhary R/o-Village- Ghamhriya Tola
Ps- Nokha Dist- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 03-02-2026 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. 600 of 2023 registered for the offences punishable under Sections 498A, 323, 406, 504, 506 of the Indian Penal Code.

3. The allegation against the petitioner is to commit mental and physical cruelty upon the complainant alongwith other co-accused persons/family members due to non-fulfillment of demand of one motorcycle as dowry.

4. Learned counsel appearing on behalf of the petitioner submitted that allegation as raised through complaint petition *qua*



mental and physical cruelty is appearing very much general and omnibus in nature against the petitioner. However, it is submitted by learned counsel that as per his instructions, now matter appears compromised between the parties and they are living happily together. It is submitted that no specific date of the occurrence appears raised through present complaint petition and, furthermore, the complaint in issue is not supported by affidavit, which is contrary to the settled position of law as available through **Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]**. Petitioner claimed clean antecedent.

5. Learned A.P.P. opposed the prayer of anticipatory bail.

6. On repeated calls, none appeared on behalf of the complainant to joint the present proceeding.

7. In view of aforesaid factual submission and by taking note of the fact as the alleged complaint not appears to be supported through affidavit coupled with the fact that allegation *qua* committing mental and physical cruelty appears very much general and omnibus in nature against petitioner, 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 Additional Sessions Judge-VIII, Rohtas at Sasaram/concerned court in connection with Complaint Case No. 600 of 2023, 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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