

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57676 of 2025

Arising Out of PS. Case No.-1 Year-2024 Thana- MAHILA P.S. District- Bhojpur

Devesh Kumar Rai @ Krishnanand Singh S/o Ram Avadhesh Rai @ Ram Avadhesh Singh Resident of village- Pakri, PO and PS- Reotipur, Dist- Gazipur, Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pooja Kumari W/o Devesh Kumar Rai @ Krishnanand Singh, D/o Upendra Kumar Singh R/o vill - Nagri, P.S.- Charpokhari, Distt.- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sumit Kumar Singh, Advocate
For the Opposite Party/s :	Ms. Sucheta Yadav, APP
For the Informant :	Mr. Awadhesh Kumar Pandey, Advocate
	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-03-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 379, 498A, 494 and 34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and being husband has been falsely implicated in the instant case by the informant.

4. It is next submitted by the learned counsel appearing on behalf of the petitioner that in sum and substance the allegation is that the informant was tortured for non-



fulfillment of dowry demand as detailed in the FIR and also that petitioner secretly has performed his second marriage with one Neha. It is next submitted that during the course of investigation, the statement of mother of Neha was recorded at Para-29 of the case diary wherein she specifically denied the marriage of Neha with the petitioner rather stated that Neha has been married to Mithilesh Kumar son of Sanjay Kumar resident of Village-Umri, P.S.- Simri and District- Buxar. It is further submitted that a reconciliation proceeding was initiated in between the petitioner and the informant by the Army, but then the same failed. It is also submitted that petitioner is appointed as a Sepoy with the Indian Army and the informant is getting maintenance from the Army from the salary of the petitioner as 22% of the reckonable pay and allowance is being deducted from the salary of the petitioner and is being credited in the account of the informant. It is also submitted that presently the relationship has soured to an extent where it is not possible to revive the conjugal relationship, but then in future with intervention of well wishers, the parties may resolve their dispute amicably.

5. Learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the



petitioner, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that mediation conducted by the Army officials failed and 22% of the reckonable pay and allowance is being deducted from the salary of the petitioner and is being credited in the account of the informant.

6. After hearing the learned counsel for the parties, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhojpur Mahila P.S. Case No. 01 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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