

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60529 of 2023

Arising Out of PS. Case No.-597 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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NITESH KUMAR @ NITISH KUMAR Son of Late Adhik Lal Kamat R/o
vill - Mithila Deep, P.S. - Lakhnaur, Distt. - Madhubani. Petitioner/s
Versus

1. The State of Bihar.
2. RUBI KUMARI D/o Ashok Kumar Chaudhary, W/o Nitesh Kumar @ Nitish Kumar R/o vill - Piprauliya P.o - Sirkhariya, P.S. - Ghoghardiha, Distt. - Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 15-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Complaint Case No. 597 of 2022 registered for

the offences punishable under Section 498A/34 of the Indian

Penal Code and Section 4 of D.P. Act.

3. The allegation against the petitioner is to commit

cruelty upon complainant alongwith other family members/co-

accused persons due to non-fulfillment of demand of dowry, as

raised for cash of Rs. 2 lacs and one four wheeler vehicle.

4. It is submitted by learned counsel appearing on

behalf of the petitioner that the complainant is working at Delhi



and as she is not desirous to continue her matrimonial life with this petitioner, the present baseless allegation was raised. In support of his submission, learned counsel submitted that the petitioner filed Restitution of Conjugal Right against complainant/opposite party no. 2 but she failed to appear before the Family Court, Madhubani and also while this matter was pending before the Mediator for couple of year, except one occasion she never attended the proceedings. It is submitted that the allegation is also appearing very general and omnibus in nature *qua* petitioner and his family members.

5. Learned APP opposed the prayer of bail.

6. Despite of service of notice, opposite party no. 2 failed to appear before this Court on repeated call.

7. In view of aforesaid factual submissions and by taking note of fact as the allegation *qua* demand of dowry and also one four wheeler vehicle appears very much general and omnibus in nature *qua* petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, 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 Additional District & Sessions Judge-III,



Jhanjharpur/concerned Court, where the case is pending in connection with Complaint Case No. 597 of 2022 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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