

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69752 of 2024

Arising Out of PS. Case No.-27 Year-2023 Thana- MAHILA P.S. District- Saharsa

Vikesh Kumar Singh @ Kunal Singh S/o Vaikunth Singh, R/o vill - Rauta, P.S
- Sour Bazar, Distt. - Saharsa. Petitioner/s

Versus

1. The State of Bihar.
2. Shilpi Kumari W/o Vikesh Kumar Singh @ Kunal Singh, D/o Ashok Kumar Singh at present residing at Refugee Colony, ward no. 6, P.S. - Saharsa, Distt.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-02-2026 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 Saharsa Mahila P.S. Case No. 27 of 2023
registered for the offences punishable under Sections 341, 323,
498(A), 504, 506, 34 of the Indian Penal Code and Section 3/4 of
D.P. Act.

3. The allegation against the petitioner is to commit
mental and physical cruelty upon the informant/opposite party no.
2 due to non-fulfillment of demand of dowry as raised for one
vehicle and flat.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that admittedly informant was living with petitioner at Delhi and when on one occasion, she came to her parents on their instigation, the present false case was lodged with very general and omnibus allegation. It is submitted that petitioner is willing to keep informant/opposite party no. 2 with all her dignity and love. It is submitted that last occurrence took place on 27.03.2023 at Delhi, whereafter the informant joined her paternal home and as a matter of an afterthought the present FIR was lodged on 19.05.2023 i.e. almost after two months of the occurrence, without having any just explanation.

5. Learned APP, duly assisted by learned counsel Mr. Chandra Mohan Jha, appearing on behalf of the informant, while opposing the prayer of bail submitted that the petitioner being husband committed mental and physical cruelty upon informant/opposite party no. 2. It is pointed out by learned counsel that informant/opposite party no. 2 is desirous to live with petitioner at Delhi.

6. In view of aforesaid factual submissions and by taking note of fact as allegation *qua* committing physical and mental cruelty against petitioner appearing very much general and omnibus in nature, where the present FIR also appears lodged with delay of about two months, 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 Sessions Judge-IV, Saharsa/concerned Court, where the case is pending in connection with Saharsa Mahila P.S. Case No. 27 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

7. Learned trial court is directed to explore the possibility of compromise in view of the submission of learned counsel appearing for the parties that they want to continue their matrimonial life at Delhi.

(Chandra Shekhar Jha, J)

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