

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73297 of 2024

Arising Out of PS. Case No.-1033 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Vikram Kumar Son of Shivji Ram @ Shivji Ray R/O Vill.- Hariharpur
Vidyalaya, P.S.- Teghra, Dist.- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi @ Suman Kumari Wife of Vikram Kumar, D/O Gorelal Ram
R/O Vill.- Bhawanandpur, P.S.- Birpur, Dist.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 04-02-2026 Heard the parties.

2. The petitioner is named in the Complaint Case and apprehending his arrest in connection with Complaint Case No. 1033C of 2023 registered for the offences punishable under Sections 341, 323, 328, 379, 504, 498A of IPC and $\frac{3}{4}$ of DP Act.

3. The allegation against petitioner is to commit mental and physical cruelty upon complainant due to non-fulfillment of demand of dowry as raised for four wheeler vehicle.



4. It is submitted by learned counsel appearing on behalf of the petitioner that the complaint in want of affidavit appears contrary to the settled position of law as available through ***Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]***. It is submitted that the allegation qua committing mental and physical cruelty against petitioner appears very much general and omnibus in nature and moreover he received instructions from petitioner that with the consent of complainant they preferred mutual divorce petition before the learned Family court, if it is so than dispute and differences between the parties appears settled.

5. Learned APP opposes the prayer of bail.

6. Upon repeated calls learned counsel for the informant failed to join present proceedings.

7. In view of aforesaid factual and legal submission and by taking note of fact as allegation qua mental and physical cruelty appears very much general and omnibus in nature coupled with the fact that same



also not appears supported by affidavit, 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 JM 1st Class, Begusarai /concerned Court, where the case is pending in connection with Complaint Case No. 1033C of 2023, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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