

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63331 of 2025

Arising Out of PS. Case No.-140 Year-2024 Thana- COMPLAINT CASE - MOHANIA Dis-
trict- Kaimur (Bhabua)

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Om Prakash Singh Son of Chhathu Singh Resident of village - Shahbajpur Ps-
Mohania, Dist- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi Wife of Om Prakash Singh Resident of village - Shahbajpur Ps-
Mohania, Dist- Kaimur At P/A- Resident of village- Malwar, Ps- Shivsagar,
Dist- Rohtas at Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-02-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Mohania Complaint Case No. 140 / 2024 dated 08.04.2024
registered under Section 498(A), 406, 494 of the I.P.C. and Sec-
tion 3/4 of the Dowry Prohibition Act.

3. As per the complaint the marriage of the complainant was
solemnized with the petitioner on 12.03.2015. It is alleged that
some time after marriage the accused persons started making
demand of Apache motorcycle and cash Rs. 5,00,000/- and due
to non fulfillment of the demand, the complainant was ousted
from her matrimonial home. It is also alleged that the petitioner



solemnized second marriage with one Sanju Devi.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence in the manner alleged. There is no specific allegation of demand of dowry or torture against the petitioner. From perusal of the complaint it is evident that the father-in-law of the complainant spent money for her admission in Nursing course at Delhi which itself goes to show that allegation of demand of dowry and torture is absurd. It is next submitted that Suresh Singh, the father of the complainant had earlier filed Complaint Case No. 1062 / 2019 on 13.11.2019 relating to same nature of offence under Section 498(A) of the I.P.C. and Section 3/4 of the D.P. Act against the petitioner and his family members and the petitioner has been granted anticipatory bail in the said case by this Court vide order dated 14.03.2023 passed in Cr. Misc. No. 71196 / 2022 and thereafter, the complainant's father- Suresh Singh filed an application for cancellation of anticipatory bail of the petitioner vide Cr. Misc. No. 47370 of 2023 and the matter was referred to Mediation Centre vide order dated 03.11.2023, and thereafter, vide order dated 09.02.2024 the said petition for cancellation of privilege of bail bearing Cr. Misc. No. 47370 / 2023 was dismissed on 09.02.2024. The opposite party no. 2-



complainant is working in Delhi as a para medical staff and not living with the petitioner for so many years.

5. Learned counsel for the opposite party no. 2 submits that petitioner for demand of dowry has tortured the complainant and in conciliation / mediation the petitioner failed to abide by the terms and condition of settlement agreed upon between the parties.

6. Regard being had to the submission made by the parties, taking into consideration the fact that there is marital discord between the complainant and the petitioner, the fact that complaint after complaint has been lodged by the opposite party no. 2 against the petitioner, the complainant is working at Delhi and is not living in the company of the petitioner for a very long period, accordingly, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Mohania, Kaimur in connection with Mohania Complaint Case No. 140 of 2024



subject to the condition as laid down under Section 482 (2) of
the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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