IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67146 of 2026

CNR No. BRHC010946442026

Arising Out of PS. Case No.-148 Year-2021 Thana- CHANDI District- Bhojpur

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Dushyant Singh Son of Shiv Dhani Singh, Resident of Village- Rampur, P.S.- Chandi, District- Bhojpur

... ... Petitioner

Versus

1. The State of Bihar
2. Mamta Devi Wife of Dushyant Singh, D/o Birendra Kumar Currently resided at her fathers home at Village- Dubauli, Dularpur, Bhojpur, Bihar

... ... Opposite Parties

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Appearance :
For the Petitioner : Mr. Niraj Kumar Singh, Advocate
For the State : Mr. Parmanand Prasad, APP
For the OP No. 2 : Mr. Manish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 04-11-2026 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 / informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Chandi P.S. Case No. 148 of 2021 dated 08.08.2021, registered for the offences punishable under Sections 341, 323, 498A and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the petitioner was married with the informant in the year 2015 and two children were born out of this wedlock. The allegation against the

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petitioner is that he started demanding money from the informant in order to pay the loan for a vehicle purchased in the year 2018-19. When the informant refused she was badly tortured and assaulted. When the parents of the informant came to her matrimonial home, they were assaulted by the petitioner and his family members.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. The petitioner is a constable in the CRPF and he has been paying monthly maintenance amount of Rs. 15,000/- to the informant which is deducted from his salary account. Earlier the petitioner wanted to keep his wife with himself but now he is not ready to keep his wife and there is no chance of reconciliation. For the allegation made in the FIR, the petitioner could not be kept in custody in the light of the decision of Hon'ble Supreme Court in the case of **Arnesh Kumar v. State of Bihar & Anr.,** reported in **(2014) 8 SCC 273**. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 23.07.2026.

5. Learned A.P.P. appearing on behalf of the State

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as well as learned counsel for the informant vehemently oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that the only demand of the informant is that her name be entered into the service book of the petitioner as his wife, but the petitioner is not ready for the same.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation, the clean antecedent of the petitioner, his period of custody and submission of chargesheet against him, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara / concerned Court, in connection with **Chandi P.S. Case No. 148 of 2021**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned

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trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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