

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72104 of 2025**

Arising Out of PS. Case No.-208 Year-2025 Thana- SHIVSAGAR District- Rohtas

Surendra Kumar S/O Ramashish Bind R/O Village- Samhuta, P.S.- Shivsagar,  
District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Nisha Kumari Daughter of Babua Bind Resident of Village- Alampur, P.S.-  
Baddi, Rohtas

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      21-04-2026                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the informant.

2. Petitioner apprehends his arrest in a case registered  
for the offence punishable under Sections 115(2), 352, 351(2),  
3(5) of B.N.S. and Section 4 of the Dowry Prohibition Act.

3. Learned counsel appearing on behalf of the  
petitioner submits that petitioner is a person with clean  
antecedent, it is next submitted that elder sister of the informant  
is married to the elder brother of the petitioner, as such  
informant is own sister-in-law of the elder brother of the  
informant and the informant alleges that his sister was married  
to Yamuna Prasad in the year 2011, the informant used to visit



her sister, when she came to contact with the petitioner and petitioner on false pretext of marriage for the last 4 years was establishing physical relation, when her parents came to know about the relationship, the informant pressurize the petitioner to marry her, further the petitioner married the informant in a temple and also performed court marriage on 29.04.2025 at Sasaram and took her to his house where she stayed but after 2-3 days, the accused person started demanding Rs. 5 lakhs by way of dowry and on account of non-fulfillment of demand, she was ousted from her matrimonial home.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is asserted and submitted that the petitioner never solemnized marriage with informant either in a temple nor court marriage was performed.

5. At this stage, the learned counsel appearing on behalf of the informant submits that the petitioner and the informant preformed their marriage in presence of Notary but then fairly submits that it was not a Court marriage.

6. The learned counsel for the petitioner next submits that petitioner and informant were known to each other but the petitioner had never given any assurance to marry the informant,



it is also submitted that the informant herself alleges that there was a relationship for the last four years, as such, it does not appear probable that informant in these 4 years would not have realised that petitioner does not intend to marry her which amply demonstrate that they were in a consensual relationship, it is also submitted that the parents of the informant were pressuring his brother to get the informant married with the petitioner but the petitioner was not ready. It is next submitted that even presuming what has been alleged is true without admitting then the relationship was in between the two consenting adults, it is also submitted that the moment such relationship seems, a false case is instituted, it is further submitted that if privilege of anticipatory bail is granted the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocent.

7. Learned A.P.P. for the State and learned counsel for the informant both oppose the prayer for anticipatory bail of the petitioner but they are not in a position to rebut the submission made by learned counsel for the petitioner that marriage of the petitioner with informant was not performed in a temple and that no court marriage ever took place.

8. Considering the aforesaid facts and circumstances



of the case, I am inclined to grant privilege of anticipatory bail to the petitioner.

9. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Shivsagar P.S. Case No. 208 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Satyavrat Verma, J)

sanjeev/-

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