

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70949 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- CHAKIA District- East Champaran

Sunil kumar Son of Tarashankar das Resident of Village - Vishunpur, P.S. -
Chakia, Dist. - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nandani Kumari D/o Chhotelal Prasad R/o Village - Bankat, P.S. - Paharpur,
Dist. - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
For the Opposite Party/s	:	Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 09-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Chakia P.S. Case No. 168 of 2025 dated 10.04.2025 registered for the offence punishable under Sections 126(2), 115(2), 303(2), 85, 352, 351 (2) and 3(5) of the B.N.S. and Section ¾ of the D.P. Act.

3. The prosecution case in short is that the marriage of the informant was solemnized with the petitioner, working in the Indian Army as a Sepoy, according to Hindu rites and rituals on 01.03.2020 and out of the wed lock she was blessed with one child. It is alleged that she was subjected to cruelty in various ways due to non fulfillment of demand of Scorpio and



ultimately the informant was assaulted and ousted from her matrimonial home on 21.12.2024.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has not committed any offence in the manner alleged and has falsely been implicated in this case. He further submits that neither any dowry demand has been made from the informant by the petitioner or any of his family members nor the informant has been subjected to any type of assault or torture at any point of time. He next submits that the informant left his company and started living at her parents' house against his will and consent. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family, the petitioner undertakes to pay a sum of Rs. 10,000/- per month to the opposite party no. 2 as "living cost" subject to final outcome of the present case as well as matrimonial case and / or maintenance case if any to be filed and decided between the parties.

5. Learned counsel for the informant / opposite party no. 2 submits that the petitioner is working in the Indian Army as a Sepoy / Havaldar having two children. During subsistence of first marriage with the opposite party no. 2, the petitioner has married with one another lady namely, Choti Kumari, which has



come in the investigation done by S.H.O., Chakia P.S. The enquiry report dated 08.02.2026 was sent to 137 Maidani Regiment, Jammu & Kashmir. The informant / opposite party no. 2 is at the verge of starvation. However, he accepts the offer so made by the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 10,000/- per month in the bank account of the informant / opposite party no. 2, details of which shall be furnished by learned counsel for the opposite party no. 2 to learned counsel for the petitioner within ten days from today.

6. After having heard learned counsel for the parties, taking into consideration the fact that the informant is not a working lady, she is at the verge of starvation having two children aged about 04 years and 03 years and the offer made by the petitioner has been accepted by learned counsel for the opposite party no. 2, accordingly, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his arrest / surrender before the learned court below within a period of six weeks from today be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magis-



trate, 1st Class, Motihari, East Champaran in connection with Chakia P.S. Case No. 168 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following condition:-

(i) that the petitioner shall deposit a sum of Rs. 10,000/- per month in the bank account of the opposite party no. 2 positively by the 7th day of every month starting from the month of May, 2026.

(Anil Kumar Sinha, J)

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