

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71590 of 2025

Arising Out of PS. Case No.-10 Year-2024 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Bishwaraj Kumar @ Gappu @ Rahul S/O Late Kedarnath R/o Mohallah-
Kashyakar Bhawan, Baksha Gali, Main Road, P.S.- Jehanabad Town, Dist.-
Jehanabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari W/O Bishwaraj Kumar @ Gappu @ Rahul, D/O Late Ashok Prasad R/o Mohallah- Kashyakar Bhawan, Baksha Gali, Main Road, P.S.- Jehanabad Town, Dist.- Jehanabad At Present R/O Mohallah- Mathuriya, Near Khari Kuan, P.s.- Laheri, Dist.- Nalanda (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Kumar, Advocate
For the State	:	Mr. Khurshid Anwar, APP
For the Opp. Party No.2	:	Mr. Pankaj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 11-02-2026 Heard the parties.

2. The petitioner, who happens to be the husband of opposite party no.2, is apprehending his arrest in connection with Complaint Case No. 10C of 2024 wherein cognizance has been taken for the offences under Sections 323, 334, 498(A)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. On the last occasion i.e. on 03.12.2025, considering the nature of dispute, which has arisen on account of matrimonial discord between the husband and wife, the matter



was referred to Patna High Court Mediation Centre, however, the dispute could not be resolved.

4. Learned Advocate for the petitioner submits that the marriage of opposite party no.2 was solemnized on 13.12.2023 and surprisingly the opposite party no.2 alleged that the accused persons, including the petitioner, started demanding dowry on 14.12.2023. Thereafter, she remained there only for ten days and left her matrimonial house; this does not inspire confidence over the prosecution case. The petitioner has always been ready to keep the opposite party no.2 as his wife, but she does not want to reside with the petitioner. In order to show the bonafide, the petitioner undertakes that he will pay Rs.3,000/- per month to the opposite party, till any order is passed by any competent court/family court.

5. On the other hand, learned APP for the State and the opposite party no.2 oppose the bail application and submit that because of torture and demand of dowry, the opposite party no.2 has been compelled to leave her matrimonial house.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the materials on record, especially the fact that the opposite party no.2, spent only ten days in her matrimonial house, let the



petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bihar Sharif, Nalanda in connection with Complaint Case No. 10C of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

7. It is expected that the petitioner shall honour his undertaking and ensure payment of Rs.3,000/- (Three thousand) per month to the opposite party no.2, which shall be deposited in the account, duly furnished by her.

(Harish Kumar, J)

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