

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83893 of 2025

Arising Out of PS. Case No.-828 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Rahul Kumar @ Rahul Kumar Gupta S/o Ram Das R/o Village - Bithan,
Ward No.10, P.S.- Bithan, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari D/o Gopal Das W/o Rahul Kumar, Resident of - Bhora, Ward
No.06, P.S - Simri Bakhtiyarpur, District - Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-03-2026 Despite valid service of notice, none appears on
behalf of the opposite party no. 2.

2. Heard learned counsel for the petitioner and State.

3. The petitioner apprehends arrest in a case registered
for the offences punishable under Sections 498(A), 323, 420 of
the Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act.

4. As per prosecution case, marriage of the
complainant was solemnized with this petitioner on 02.05.2022
and thereafter, it is alleged that all the named accused persons
including this petitioner tortured and harassed the complainant
due to non-fulfillment of demand of dowry.

5. It is submitted on behalf of petitioner that petitioner



happens to be husband of the complainant and present case has been lodged due to petty family dispute. There is general and omnibus allegation of commission of assault against him. It is further submitted that petitioner is ready to keep the complainant, as his wife, with full honour and dignity. It is next submitted that the case is triable by the Magistrate. In this connection, petitioner has relied upon a judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar*, reported in **2006(3) PLJR 182**. Petitioner claims clean antecedent.

6. Considering the aforesaid contention made on behalf of the petitioner this anticipatory bail is allowed and it is ordered that let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on 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 Magistrate, 1st Class, Saharsa in connection with Complaint Case No. 828C of 2023, subject to condition as laid down under Section 482(2) BNSS.

(Prabhat Kumar Singh, J)

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