

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89586 of 2025

Arising Out of PS. Case No.-336 Year-2025 Thana- BETTIAH CITY District- West
Champaran

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Sandeep kumar son of Ramayan kumar Resident of village- Kotwa, Ps-
Paharpur, Dist-East Champarann

... .. Petitioner/s

Versus

1. The State of Bihar
2. Goldi Kumari Wife of Sandeep Kumar Resident of village- Sariswa bazar,
Ps- Majhauilya, Dist- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the O.P. No. 2	:	Mr. Avinash Raj, Advocate
For the State	:	Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Bimlesh Kumar Pandey, learned counsel

for the petitioner, Mr. Avinash Raj, learned counsel for the

Opposite Party No. 2 and Mr. Uday Pratap Singh, learned APP

for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 337(C) of 2025 which was
sent for registration in F.I.R. bearing Bettiah Town P.S. Case No.
336 of 2025, F.I.R. dated 12.07.2025 registered for the offences
punishable under Sections 127(2), 117(2), 74, 76, 85, 303(2),
352, 351(2), 3(5) of B.N.S.

3. Petitioner is husband of the informant. Allegation
against the petitioner is of demand of dowry and torture for the



same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. Learned counsel for the petitioner submits that earlier the Opposite Party No. 2 has filed a case against the petitioner bearing Complaint Case No. 986 (C) of 2024 for the offence punishable under Sections 498(A), 323 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act in the Court of Learned S.D.J.M., West Champaran at Bettiah and the petitioner has been granted anticipatory bail vide order dated 04.04.2025 in A.B.P. No. 2219 of 2024 with a condition that the petitioner will pay Rs. 3,500/- as maintenance to the Opposite Party No. 2.

5. Learned counsel for the petitioner further submits that the petitioner has filed a Divorce Suit No. 122 of 2024 before the Principal Judge, Family Court, Motihari, East Champaran on 15.03.2024 and thereafter the Opposite Party No. 2 has filed Complaint Case No. 986(C) of 2024 on 18.05.2024. Thereafter, she has filed second Complaint Case No. 420 of 2025 and Maintenance Case No. 162 of 2024 before the Principal Judge, Bettiah, West Champaran. Thereafter, she has filed Domestic Violence Case No. 38 of 2024 on 18.05.2024.



Learned counsel for the petitioner has tried his best effort to settle the issue but the Complainant (Opposite Party No. 2) is not ready to live with the petitioner and ultimately, the petitioner has filed the aforesaid Divorce Case against the complainant and thereafter the Opposite Party No. 2 has filed several cases as mentioned aforesaid against the petitioner only to harass the petitioner and his family members. Although, the petitioner has been granted anticipatory bail in Complaint Case No. 986(C) of 2024 and for the same set of allegation the petitioner has filed the present case.

6. Learned APP for the State as well as learned counsel for the Opposite Party No. 2, on the other hand, has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner being a husband of the Complainant (Opposite Party No. 2), his duty to proper care of Opposite Party No. 2 but he is not doing so and also the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of two cases, the petitioner is on bail in one case and both the cases have been filed by the Opposite Party No. 2 against the petitioner.

7. Considering the aforesaid facts that same set of



allegation the present F.I.R. was instituted by the Opposite Party No. 2 and earlier the petitioner has been granted bail in Complaint Case No. 986 (C) of 2024 by the learned Court below itself and pursuant to the direction of the learned Court below, the petitioner has to pay Rs. 3,500/- as a compensation to the Opposite Party No. 2 as well as Divorce Case is pending between the parties before the competent court of law, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 336 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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