

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1288 of 2026

Arising Out of PS. Case No.-308 Year-2024 Thana- COMPLAINT CASE-ARWAL District-
Arwal

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Parmatma Kumar @ Parmatma Sao son of Rajesh Saw Resident of Village
-Amir Bigha PS- Kaler, Dist -Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarswati Kumari Daughter of Sarvish Sao Resident Of Village- Mubarakpur
Kurtha, Ps- Kurtha, Dist- Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar, Advocate
For the State : Mr. Nawal Kishore Pd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-05-2026 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out of Complaint Case No. 308 of 2024, registered for the offence under Section 85 of the Bharatiya Nyaya Sanhita, 2023. However, as per the cognizance order, the complaint has been filed referring to Sections 126, 115, and 85/3 of the Bharatiya Nyaya Sanhita and Section 3/4 of the D.P. Act.

3. As per the complaint, the allegation against the petitioner is that the marriage of the complainant was solemnized with the petitioner in the year 2020. After some time, the petitioner and other accused persons started



demanding a sum of Rs. 2 lakhs as dowry and due to non-fulfilment of the said demand, they tortured the complainant physically as well as mentally. Subsequently, ousted her from her matrimonial home where she is residing since 11.10.2024

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has been falsely implicated in this case along with entire family members on the basis of general and omnibus allegation. The petitioner is a daily wage labourer and the complainant (O.P. No. 2) did not want to reside with the petitioner due to his financial condition.

5. Despite service of notice, no-one appears for O.P. No. 2.

6. Considering the nature of allegation and the fact that there is a matrimonial dispute between husband and wife and the allegation against the petitioner and his family members is general and omnibus in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Chief Judicial Magistrate, Arwal /concerned court in connection with Complaint Case No. 308 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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