

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.541 of 2026

Arising Out of PS. Case No.-253 Year-2024 Thana- BHAGWANPUR District- Vaishali

Pawan Kumar Son of Anil Kumar, R/o Village - Parsauniya, P.S.- Mahua,
Dist.- Vaishali, 844122.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shruti Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Bhagwanpur P.S. Case No. 253 of 2024, dated 14.09.2024, registered for the offences punishable under Sections 126(2), 115, 85 and 352 of BNS and Sections 3 and 4 of D.P. Act.

3. As per allegation, the marriage between the petitioner-husband and informant-wife was solemnized in the year, 2021. However subsequent to the marriage, demand of additional dowry of Rs.2,00,000/- and a four-wheeler started by the petitioner and his family members and on account of non-fulfillment of the same, she has been subjected to cruelty, moreover, one female child has been also born out of wedlock.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. She further submits that as a matter of fact, the informant-wife is a government employee on contract in local panchayat drawing salary of Rs.25,000/- per month and the petitioner-husband is still student preparing for BPSC Competition and on account of unemployment of the petitioner-husband, matrimonial discord has developed. Hence, false case has been filed by informant-wife. She further submits that the maximum punishment prescribed for the alleged offence is three years and if the petitioner is not enlarged on anticipatory bail, his employment in government job will get hampered.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Bhagwanpur P.S. Case No. 253 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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