

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2143 of 2026

Arising Out of PS. Case No.-3891 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Durgesh Kumar Deep Son of Awadh Bihari Sah Resident of Village Pipra,
P.S.-Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indu Devi Wife of Om Prakash Resident of Mohalla-Balupar, Kurji, in front
of Asha Sadan, P.S.- Digha, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Rakesh Kumar Sharma, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP
For the OP-2	:	Mrs. Sudha Ambastha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-07-2026 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed.

2. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the complainant / opposite party no. 2.

3. The petitioner apprehends his arrest in a complaint case punishable for the offence under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

4. The complainant has alleged that on 22.05.2021,



her daughter namely Shipra Kumari was married with this petitioner and after the marriage, her daughter was subjected to cruelty and torture by all the accused persons including this petitioner due to non-fulfillment of additional demand of dowry and lastly, she was ousted from her matrimonial house.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has been falsely implicated in this case merely because he happens to be husband of daughter of complainant. The complainant and her family members are habitual of filing cases against petitioner and his family members only to torture and harass them. The complainant along with her husband and daughter have filed altogether nine cases against petitioner and his family members (details of which have been given in paragraph 7 of the bail application), out of which, four cases are under Section 498A and other allied sections of the Indian Penal Code. Learned counsel for the petitioner further submits that daughter of complainant is taking maintenance of Rs. 15,000/- (Fifteen thousand) from petitioner, in view of order passed in D.V. Case No. 46 of 2022 and now, she has also been awarded interim maintenance under Section 24 of the Hindu Marriage Act of Rs. 20,000/- (Twenty thousand), vide order dated 11.12.2024 passed



in Matrimonial Case No. 131 of 2022 by the court of learned Principal Judge, Family Court, Gopalganj and thus, at present, daughter of complainant is getting maintenance of **Rs. 35,000/-** (Thirty five thousand) per month from the petitioner.

6. In the facts and circumstances of this case, the prayer for anticipatory bail of petitioner is allowed. Accordingly, let the above-named petitioner, in the event of 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 S.D.J.M., Patna in connection with Complaint Case No. 3891 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure / Section 482 of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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