

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 251/2026

Arising out of Goh P.S. Case No. 322/2025

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Abhishek Choudhary @ Abhishek Nisad, S/o Srikant Choudhary, age-28 years, R/o village- Deohara, P.O.- Deohara, P.S.- Goh, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s) : Sri Sunil Kumar Singh, Adv.
For the State : Sri Ajya Kumar, P.P.

18.03.2026

Apprehending his arrest in connection with Goh P.S. Case No. 322 of 2025 instituted under Section 126(2), 115(2), 85, 117(2), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and u/s 3/4 of the Dowry Prohibition Act, petitioner has moved before this court for grant of privileges of anticipatory bail. A copy of the anticipatory bail petition has been served upon the learned P.P.

The brief facts of the case are that the marriage of the informant Asha Kumari was solemnized with the petitioner Abhishek Kumar and she was being tortured by her husband and his family members for demand of dowry. It is further alleged that on 18.11.2025 the accused persons pushed her from the stairs and that time she was seven months pregnant.

Learned counsel for the petitioner has submitted that the petitioner is quite innocent and has been falsely implicated in this case. It is further submitted that the petitioner has not solemnized marriage with the informant. It is further submitted that on 08.09.2022, the informant has filed a Complaint Case bearing no. 1508/2022 before the court of C.J.M., Arrah against the petitioner and his family members and in the said case learned S.D.J.M. has taken cognizance u/s 498(A)/34 of IPC on 23.03.2023. Nothing has happened as alleged in the F.I.R. Petitioner is having no criminal antecedent except Complaint Case No. 1508/2022. It is therefore prayed that the petitioner be released on anticipatory bail.

On the other hand, learned P.P. opposed the prayer for grant of anticipatory bail to the petitioner.

Heard learned counsel appearing on behalf of the petitioner and learned P.P. for the State.

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 251/2026

Arising out of Goh P.S. Case No. 322/2025

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

The present F.I.R. is registered regarding demand of dowry, torture and for eviction of the informant from her matrimonial home on dated 18.11.2025. It is alleged against the accused persons that her husband along with his in-laws family members had pushed her from stairs during her pregnancy condition. During course of hearing, it is found that the informant had earlier lodged a complaint case vide no. 1508/2022 before the Sub-Divisional Court, Arrah, in which petitioner was released on bail by the Hon'ble High Court in Cr. Misc. No. 27896 of 2024. However, in the anticipatory bail petition, the petitioner had denied to the fact that he was ever married with the informant or having a physical relation with her. During course of investigation, it is mentioned at para-44 of the case diary that the petitioner and the informant were continuously in touch with each other. At par-52 of the case diary, it is mentioned that the petitioner has solemnized marriage with someone else and due to which, the differences between the parties has been arisen. At para-24 of the case it is mentioned that petitioner is having one criminal antecedent. There is injury report available before the court by which it appears that the informant was having pain in right leg near knee and abdominal pain with pregnancy of seven months. However, opinion is kept reserved.

Considering the nature of allegation and the fact that the informant had earlier filed a complaint case against the petitioner, in which the petitioner was got released on bail by the Hon'ble High Court on dated 20.05.2024 and there is no evidence to the fact that after release on bail, the petitioner had ever met with the informant or was living with her. Hence, under the aforesaid facts and circumstances, **the anticipatory bail petition filed on behalf of the petitioner Abhishek Choudhary @ Abhishek Nisad is hereby allowed.** It is directed to release the petitioner on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the learned court below subject to the conditions as laid down u/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)