

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

A.B.A. No. 84/2026

**Ref:- Arising out of Complaint Case No. 1572C/2024
U/S-85 of B.N.S. of I.P.C. & 4 D.P. Act.**

Dt: 17.12.2024

In the matter of :-

**Mukesh Paswan, S/o Dukho Paswan, R/o vill. Baharbanni Luchvi Gachhi,
P.S. Birpur, Distt. Begusarai**

.....Petitioner

Vrs

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner :- Sri Anil Kumar, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Date of order:- 18.03.2026

ORDER

An anticipatory bail petition has been filed on behalf of above named accused/petitioner who is apprehending his arrest in connection with above mentioned case for committing of offences punishable u/s-85 of B.N.S. & 4 D.P. Act, and the same has been put up for hearing.

Heard Learned Counsel Sri Anil Kumar, appearing on behalf of accused/petitioner, and Ld. P.P I/C for the State.

The case of the complainant, in brief, is that the marriage of the complainant was solemnized with the petitioner in the year 2018 and at the time of marriage, cash, gold, silver, and other household articles were given as gift. After the marriage, the complainant stayed at her sasural and then came to her matrimonial home. After that, again she went her sasural where her husband and her in-laws started abusing and assaulting her over dowry demand of Rs. 05 lakhs. This petitioner solemnized second marriage with Rupam Devi. Accordingly, the present case has been registered.

Learned counsel for the petitioner has submitted that the petitioner has not filed any anticipatory bail petition earlier before this learned court or before Hon'ble High Court, Patna and no bail petition is pending in any court. It is further submitted that petitioner is quite innocent, has committed no offence, and has been falsely implicated in this case. The petitioner has no criminal antecedent. The petitioner is the husband of the complainant and he always ready to keep and maintain the complainant in proper way by providing all the necessity of her life as per his capacity. No case is made out against the petitioner as neither the petitioner nor his family members never demanded any sort of dowry either from the complainant or from her parents. Lastly, he submitted that he is ready to abide by all the conditions imposed by this court. So, the petitioner may be released on bail.

On the other hand, learned P.P.I/c for the State has opposed the prayer for bail. Heard learned counsel for the petitioner, and learned counsel for the State. Perused the case record. From perusal of the record, it appears the dispute between the parties admittedly arises out of a matrimonial relationship. Petitioner is being the husband of

the complainant.

Considering the nature of the allegations, the matrimonial background of the dispute, and keeping in view the settled principles of law laid down by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**, particularly with regard to arrest and grant of bail in offences under Section 85 of the B.N.S., as well as the guidelines issued in **Satender Kumar Antil v. Central Bureau of Investigation**, relating to grant of bail and the procedure to be followed in cases where the offence is punishable with an imprisonment less than seven years, hence it appropriate to dispose of the present anticipatory bail application with the following directions:

The petitioner is directed to surrender before the learned court below and seek regular bail within a period of one month from the date of this order. Upon such surrender, the learned court below shall consider and dispose of the regular bail application on its own merits, in accordance with law, without being prejudiced by any observation made in this order, and strictly in view of the principles laid down in the aforesaid judgments of the Hon'ble Supreme Court. Accordingly, the present anticipatory bail application stands disposed of.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	18.03.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	23.03.2026
Uploaded by	Rahul Verma