

ORDER

Vishal Kumar, 32 years, S/o Jaiprakash Narayan PalPetitioner
Vs

1. State of Bihar

2. Anu Priya, D/o Niranjan Pal.....O.Ps.

ORDER

27-06-2026 An application for grant of anticipatory bail filed on behalf of the above named accused petitioner namely **Vishal Kumar**, who is apprehending his arrest in connection with **Kahalgaon P.S. Case No. 424/2025** relating to offences punishable u/Ss 126(2),115(2),85,351(2),352,3(5) of the B.N.S. & 3/4 of the Dowry Prohibition Act, pending in the learned Court of C.J.M., Bhagalpur, is put up and moved.

Heard Mr. Subhash Chandra Jha, learned counsel for the petitioner as well as Md. Babar Ansari, learned Addl. P.P. for the State assisted with Mr. Vishal Anand, learned counsel for the informant.

The prosecution story, in short, is that informant married accused petitioner Vishal Kumar on 23-02-2024 as per Hindu customs and usages but after one month of marriage this accused petitioner alongwith his family members started demanding money and they all used to abuse and torture her for non-fulfillment of the same. It is alleged that all the accused persons ousted the informant from her matrimonial home in the night of 16.08.2024 and threatened that if Rs. 15 lakh is not given to them then she will not be allowed to live in her matrimonial home. It is lastly alleged that all the efforts to settle the dispute yielded no result and though the informant tried to enter into her matrimonial home but her parents-in-law didn't allow her.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that as a matter of fact informant herself had left her matrimonial home without taking consent of her husband (accused petitioner) and guardian and on several occasions petitioner's father had requested informant to come back but she refused. He further submitted that the informant wants to lead her life on her own condition and she has no affection towards her husband and prayed to extend the privileges of anticipatory bail to the petitioner on the ground that he is still ready to keep the informant but informant is not interested to lead conjugal life with the petitioner which is vehemently opposed by the learned Addl. P.P. for the State assisted with learned Counsel for the informant.

Heard both sides and perused the case record from which it transpires that petitioner and others are named in the F.I.R. and carry allegation of demand of dowry and committing cruelty against informant for non-fulfillment of the same. Though the informant has levelled allegations of committing assault against the accused petitioner and others but the allegation is not specific rather general and omnibus in nature and there is no chit of paper in support of

injury or the treatment received by any doctor. During the course of hearing of this anticipatory bail petition this Court, to explore the possibility of settlement of dispute between the parties, sent the petitioner and his wife (informant) to Mediation Center but the attempt made by Mediators failed. This Court also tried to settle the dispute through counselling but the informant is not ready to live with her husband (accused petitioner) and the bone of contention between the parties is return of money that was spent on the occasion of marriage. The petitioner happens to be the husband of the informant but there is no scope for the parties to lead their conjugal life together. Alleged offences are punishable upto three years and no purpose would be served by sending the petitioner behind the bar. Under these circumstances, this Court is inclined to extend the privileges of anticipatory bail to this petitioner.

Hence, the prayer for grant of anticipatory bail made on behalf of accused petitioner namely **Vishal Kumar** is hereby **allowed**. It is hereby directed that in the event of arrest or surrender before the learned Court below within 30 days from the receipt of a copy of this order, the accused petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Court below. Petitioner is directed to file an **undertaking** that he will not misuse the privileges of bail, will cooperate in the trial and is further directed to furnish his mobile number with direction that neither he will change the mobile number nor turn off the mobile without information to the court.

Dictated

Sd/-

(Prabhat Krishna)
IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	27-06-2026
Date of Reserving judgment/order	-
Uploading Date	30-06-2026
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