

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI  
DEEPAK KUMAR VS. THE STATE OF BIHAR  
A.B.A. NO. - 275 Of 2026

ORDER

Present: Sudhir Sinha

12.03.2026

This anticipatory bail petition has been filed on behalf of petitioner **Deepak Kumar** who is apprehending arrest in Complaint Case No. 391C/2017 registered U/s-498(A) of IPC and 3/4 D.P Act, the copy of which is served upon the ld. P.P.

The ld. Counsel for the petitioner has submitted that no bail petition has been filed on behalf of petitioner either in this ld. Court or before the Hon'ble High Court, Patna except the present one. The petitioner has got no criminal antecedent. The petitioner has not been given notice u/s-41(A) of Cr.P.C. The petitioner is quite innocent and he has committed no offence he has falsely been implicated in this case for reason that the Complainant did not like him and she wanted to perform another marriage which she has performed now. There is no specific allegation against the petitioner either regarding demanding of dowry or torturing the Complainant. The petitioner was living in Patna where as the Complainant was living in Jamalpur. The petitioner is man of means and there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of ld. Court In such view the ld. Counsel prayed to admit the petitioner to anticipatory bail.

The case in brief is that the Complainant Rekha Devi was married with Deepak Kumar in the year 2013 according to Hindu customs and rites. The parent of Complainant at the time of her marriage gave cash Rs. 3,00,000/- and several house hold items and jewellery worth Rs. 2 lakhs. After marriage she went to her sasural to start conjugal life. But after some time Kiran Devi and Laxmi Mandal started taunting her and said that her father gave less dowry in the marriage. The accused persons demanded Rs. 2 lakh as dowry and one motorcycle due to non fulfillment of demand Deepak Kumar and Laxmi Mandal assaulter her. Kiran Devi and Nirmala Devi both caught her by hair and threw on the ground and assaulted her due to which her condition is serious. Nearby people informed her father and her father come to her daughter's sasural and took her to his house. She was treated upon by village doctor. A letter was sent by the accused to Lalu Yadav on 20.09.2016 that Deepak Kumar has married again. Then helplessly Complainant's father and witness went to the house of accused where it was told that Deepak has married again and hence they will not keep his daughter. Since then she is living at her parent's house.

The ld. Addl. PP opposed the prayer for bail.

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On perusal of the LCR it is clear that Hina Praveen has filed a Complaint Case No. 391C/2017 against 9 family members other than husband. The Id. Magistrate after inquiry found prima facie material against husband Deepak Kumar and others and accordingly Summons were directed to be issued against them. After issuing of process the petitioner was declared as absconder against which the Criminal Revision no.-93/2024 was preferred which vide order dated 10.12.2025 was allowed with a direction to the Complainant to give the correct name of father of petitioner and also the the correct address of petitioner the orders issuing process and declaring as absconder was set-aside. Therefore the case record presently is on the stage of issuance of summons against this petitioner.

Now coming to the offences alleged and the corresponding punishment. The Court finds that the Hon'ble Apex Court and the Hon'ble High Court Patna has directed in Arnesh Kumar Vs. State of Bihar, Satendar Antil Vs. CBI and Naushad Ansari Vs. State of Bihar to accord benefit under section 41(A) of the Cr.P.C. in cases where the offences are punishable with less than seven years imprisonment or to grant bail. In the present case the offences are punishable with less than 7 years imprisonment. In such view the petitioner deserves the privilege of pre-arrest bail. Accordingly this ABA stands **allowed**.

The petitioner **Deepak Kumar** in the event of his arrest or surrender is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the concerned Court and as per condition of Section 438 (2) Cr.P.C.

Dictated & Corrected

Sd/-

District & Addl. S.J- II, Jamui

12.03.2026

Memo No. .... dated .....  
Copy to Court of Ld. S.D.J.M, Jamui.

District & Addl. S.J- II, Jamui

12.03.2026