

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
CHUNCHUN KUMAR VS. THE STATE OF BIHAR
A.B.A. NO. - 695 Of 2026

ORDER

Present: Sudhir Sinha

12.08.2026

This anticipatory bail petition has been filed on behalf of petitioner **Chunchun Kumar** who is apprehending arrest in Case No. 320C/2024 u/s-498(A) IPC and 3/4 D.P Act, the copy of which is served upon the Id. P.P.

The Id. Counsel for the petitioner has submitted that no bail petition has been filed on behalf of petitioner either in this Id. Court or before the Hon'ble High Court, Patna. The petitioner is a man of spotless character and has got no criminal antecedent. Section 35(3) of BNSS has not been applicable in this case. The petitioner is quite innocent and he has committed no offence and has falsely been implicated in this case. That being frustrated and dissatisfied with the abnormal behavior and misconduct by Complainant with her husband, he had filed a divorce suit no. 39/24 in Family Court at Sheikhpura in which Complainant and her paramour knowingly and intentionally did not appear. The Complainant had also filed a maintenance case no. 57/24 against her husband which is going on. The complainant has got illicit relation with Rohan Kumar and therefore she has deserted her husband and since then she has never come to her sasural. As a matter of fact there is omnibus and general allegation against the petitioner. 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 Id. Court In such view the Id. Counsel prayed to admit the petitioner to anticipatory bail.

The case in brief is that the Complainant Puja Kumari was married with Chunchun Kumar on 14.06.2022 according to Hindu customs and rites. At the time of marriage informant's father gave all ornaments and utensils and furniture along with amount Rs. 2,00,000 cash and one motorcycle. The accused Chunchun Kumar, Rajendra Thakur, Gayatri Devi, Vinod Kumar, Sanchya Devi and Shruti Devi all accused started demanding money Rs. 10 lakh for purchasing land in Chebara. After that she was being tortured for dowry by her in-laws. Upon her objection the accused persons assaulted her and told to bring money as dowry else they will not keep her in the house. When she became pregnant she came to her parent's house.

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

On perusal of the LCR it is clear that the Puja Kumari had filed Case No.-320C/2024 against 8 family members. The petitioner is husband of the Complainant. The Id. Magistrate after inquiry found prima facie material

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against husband Chunchun Kumar and others and accordingly Summons were directed to be issued against them.

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, Salim Ansari Vs. State of Bihar and Naushad Ansari Vs. State of Bihar to accord benefit under section 41A 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. This is a Complaint Case and the accused has appeared on summons. The petitioner is entitled to the mandate propounded in Salim Ansari Vs State of Bihar. Accordingly this A.B.A stands **allowed**.

The petitioner **Chunchun 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

District & Addl. S.J- II, Jamui
12.08.2026