

In the Court of Additional Sessions Judge-I, Danapur

(Present:- Sri Kumar Gunjan, Addl. Sessions Judge- I, Danapur)

A.B.P. No. 327 of 2026

(Arising out of Khagaul P.S. Case No. 89 of 2025)

Praveen Kumar, son of Kedar Mishra, Resident of: Village- Itaha, Rasul Nagar, P.S.- Sakra, Distt.- Muzaffarpur, Bihar- 843121, also residing at Flat No. 601, B-Block, Kashyap Sunaina Vihar, Kaliket Nagar, Dinapur-cum-Khagaul, Distt.- Patna, Bihar 801105, Petitioner

Versus.

The State of Bihar.

..... Opp.Party

Learned counsel for the petitioner :- Sri Ravi Shankar Roy, (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad (A.P.P.)

Order.

13-08-2026 This Anticipatory Bail petition has been filed on behalf of the above-named petitioner, who is apprehending his arrest in connection with Khagaul P.S. Case No. 89 of 2025, registered under Sections 126(2), 115(2), 118(1), 85, 3(5) of the B.N.S. and 3/4 of Dowry Prohibition Act, pending in the Court of learned A.C.J.M.- V, Danapur.

Heard the learned counsels for the parties.

Apart from pleading innocence, clean antecedent and this to be the first bail application of the petitioner before any Court, learned counsel for the petitioner has submitted that this FIR has been registered after delay of about six months without giving any explanation for such delay. It is further submitted that allegations in the FIR are general and omnibus without specific date, time and unsupported by any medical evidence of such injury. It is also submitted that this case is simply a domestic dispute and financial dispute between two life partners and it can be better resolved through a civil or matrimonial proceeding and the informant herself abandon her matrimonial home in march 2025, whereas the petitioner is still desirous of leading a happy married life with her and their three children. It is further submitted that Section 126(2) and 115(2) are bailable in nature whereas Section 118(1), 85 of B.N.S. and 3/4 of D.P. Act are not attracted against the petitioner. Reliance has also been placed upon the judgment of Arnesh Kumar vs. State of Bihar & Anr. Reported in (2014) 8 SCC 273 and also argued that co-accused persons namely Kedar Mishra and Urmila who are the father and mother of the petitioner have been granted the privilege of anticipatory bail by this Court. In the light of these submissions, learned counsel prayed for grant of anticipatory bail to the petitioner.

Per-contra, learned APP as well as learned counsel for the informant opposed the prayer vehemently by submitting that this petitioner has not only tortured and assaaulted the complainant repeatedly but also pledged all her Stridhan ornaments with Muthout Finance and fradulently obtained gold loan and misappropriated all the money obtained in loan. Learned counsel further submitted that the petitioner and other accused-persons

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Praveen Kumar Versus. The State of Bihar.

Contd.

13-08-2026

- 2 -

have fraudulently and forcefully obtained signature of the complainant on blanks paper and used them in obtaining home loan in the name of the complainant. The petitioner has also taken a car loan fraudulently in the name of the complainant and all the accused persons have demanded a dowry of Rs. 20 Lacs from the complainant and when the complainant expressed her inability to meet this demand they have repeatedly tortured her and also attempted to administer poison twice with an intention to kill her. Finally it is submitted that a Panchyati was held in which the petitioner admitted to return the Stridhan jewellery of the complainant and executed an agreement but till date he has not returned it. Learned counsel for the complainant has brought on record photocopy of certain documents which are- An agreement dated 27-11-2024, executed by the petitioner and complainant on 27-11-2024, and argued that the petitioner Praveen Kumar had admitted in this agreement that he had spent Rs. 2,70,000/- from the credit card of the complainant and also purchase a Hyundai Creta Car without the knowledge of the complainant and also obtained loan of Rs. 5,60,000/- for the said car which became the liability of the complainant and which was never be paid. In this agreement, he also admitted that he had also purchased an i10 car by taking bank loan and sold that and the loan taken for the Creta car has also not been paid by the petitioner. Learned counsel further argued that in this agreement itself he has further admitted that he had obtained gold loan by pledging the Stridhan ornaments of the complainant from Muthout Finance and he agreed to pay this loan within six months and returned all the Stridhan ornaments to the complainant within six months from the date of this agreement which is 27-11-2024.

After hearing the parties, I have perused the case record. This case was sent to the mediation Centre, in which the learned Mediator in his order dated 30-06-2026, has categorically written that the accused petitioner is not taking any interest in mediation due to which the mediation failed. Though learned counsel for the petitioner has challenged the genuineness of the agreement dated 27-11-2024, allegedly executed by the petitioner and the complainant by submitting that the Notary has signed over this document on 12-12-2024, which goes to suggest that this agreement was executed in the absence of the petitioner as he was not present before the Notary Public. However the petitioner has not denied his signature over this agreement. Even in the Court the petitioner has admitted of pledging the Stridhan ornaments of the complainant with Muthout Finance and he sought one year time to return it to the complainant but he pleads that the ornaments were pledged with consent of both the parties. He has also

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Praveen Kumar Versus. The State of Bihar.

Contd.

13-08-2026

- 3 -

admitted about sale of both the cars though he claims it to have been purchased by him through loan which was paid allegedly by him from his bank account. Though the **petitioner has claimed to be a man of clean antecedents in para 3 of bail petition but** **ld. Counsel for the complaint submitted photocopy of the Fir of Betiah Mufashil Case No. 356/23 instituted against this petitioner by one Kanhaiya** with an allegation that this petitioner, as employee of Hinduja finance company, had misappropriated four monthly installments of Rs. 60,000/- given by this informant of that case to the petitioner for being deposited against his loan. **This bail petition has been kept in abeyance due to mediation proceeding for many months yet the petitioner did not disclose his criminal antecedent till today. Thus, it is apparent from his conduct that this petitioner has deliberately concealed his criminal antecedents with a view to obtain a favourable order by misleading the Court. It has been held by the Hon'ble supreme Court in its judgment Kusha Duruka v. State of Odisha, reported as (2024) 4 SCC 432, Kaushal Singh v. State of Rajasthan, reported as 2025 INSC 871, Deepak Yadav v. State of U.P. & Anr., reported as (2022) 8 SCC 559, Neeru Yadav v. State of U.P. & Anr. Reported as (2014) 16 SCC 508, and Vipin Kumar Dhir v. State of Punjab & Anr. reported as (2021) 15 SCC 518, that deliberate suppression of criminal antecedents in a bail petition amounts to playing fraud upon the Court and over reaching its process, and is , by itself, a sufficient ground for cancellation or denial of bail. Thus, this petitioner's case is not protected from the judgment of Arnesh Kumar vs. State of Bihar relied upon by his counsel.**

Therefore, in the light of the ratio of the judgments referred above, the petitioner does not deserve to be granted the privilege of anticipatory bail. Accordingly, the instant anticipatory bail petition of the petitioner **Praveen Kumar** is hereby **rejected..** **Consequently the interim protection given to the petitioner stands vacated automatically.**

Let a copy of this order be sent to the concerned Court for information and needful.

(Dictated)

Sd./-

(Kumar Gunjan)

Addl. Sessions Judge-I, Danapur.