

The Court of 2nd Dist. & Additional Sessions Judge, Bikramganj, Bihar

A.B.P. NO. 731/2025

Comp Case no. 49/2025

Date of Order or Proceeding	Order with the Signature of the Court	Office action taken with date
17.03.2026	<p>An anticipatory bail petition has been filed on behalf of accused petitioner namely Manish Kumar Singh who is apprehending his arrest in connection with Comp Case no. 49/2025, registered u/s 115(2), 85, 352 of BNS and $\frac{3}{4}$ D.P Act.</p> <p>Case has been heard and was posted for an order today. Mr. Sushil Kumar Singh, Ld. counsel on behalf of accused appeared and submitted that applicant is innocent and have not committed any offence and they have falsely been implicated in this case. He further submits that the complainant is not willing to live with petitioner as wife. He further submits that the complainant had previously filed concocted Divorce Case no. 395/2023 before the Principle Judge, Family Court, Ara. The petitioner is ready to abide all the conditions of bail. Hence their application for anticipatory bail be allowed.</p> <p>Ld. APP appearing on behalf of State has opposed the anticipatory bail application. He argued that matter of an application has been registered under section 115(2), 85, 352 of BNS and $\frac{3}{4}$ D.P Act. Hence the instant anticipatory bail application be rejected.</p> <p>Perused the record of case and material available on record. From perusal it transpires that the instant case has been filed on the written application of informant namely Pinki Kumari. The instant case has been filed against the petitioner and five others under section 115(2), 85, 352 of BNS and $\frac{3}{4}$ D.P Act</p> <p>After receiving of the Case record, a notice was issued to the complainant of Case no</p>	

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Cont..... 17.03.2026	<p>49/2025 and she appeared through her lawyer on 06/01/2026. The parties failed settled their dispute in amicable manner. On perusal of LCR of Case no 49/2025, it transpires that the allegations are omnibus in nature. More over the case is triable by the Magistrate. Apex Court in Arnesh Kumar case, dealing with the issue of “deliberate and rampant misuse of provisions of Section 498-A of IPC as a tool of harassment by a disgruntled wife has issued guide line to court. Petitioner claims clean antecedent on affidavit.</p> <p>Considering the above enumerated facts and circumstances and clean antecedent (as claimed on affidavit) of the petitioners, the prayer for bail of the petitioners stands allowed.</p> <p>Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Ld. Court below in the event of arrest or surrender with direction that the petitioners shall cooperate with the trial and make himself available as and when so required and in case of failure, the court shall be at liberty to cancel bail. The order is subject to condition as laid down under Section 482 (2) of the BNNS. The court will be at liberty to cancel bail if any criminal antecedent is brought on record.</p> <p>Let a copy of this order along with LCR be transmitted to Ld. Court below forthwith. O/C is directed to deposit the record as per rules.</p> <p style="text-align: center;">(Dictated)</p> <p style="text-align: center;">2nd D & ASJ Bikramganj</p>	