

In the Court of S.M.F. Bari 1st Addl. Sessions Judge, Saran.
ABP No. 1242/2026 (Tr. no. 920/2026 Complaint 1598/2016)
Govind Kumar alias Upendra Kumar Versus State of Bihar.

O R D E R

15.7.2026

Heard learned counsel for petitioner as well as learned P.P. for the State and learned counsel for the informant on anticipatory bail petition of petitioners namely Govind Kumar alias Upendra Kumar who is apprehending his arrest in the above referred case registered u/s 498(A) of I.P.C. and 3/4 of D.P. Act.

As per complaint petition of the complainant Radha Devi has been married with the petitioner as per Hindu rituals in the year 2015. After some days, the petitioner took the complainant at Phagwar at his place of working. It is further alleged that the accused petitioner demanded an Alto car in dowry, and on non fulfillment of that used to torture her. Lastly, he has ousted the complainant 24.5.2016 from her matrimonial house after snatching her valuable and belonging. The father of the complainant tried to convince the accused persons, but in vain.

It is submitted on behalf of learned counsel for petitioner that he is innocent, he has not committed any offence, he has been falsely implicated in this case due to suspicion, petitioner is the husband of complainant, he is ready to keep the complainant with him as his wife with honor and respect, but it is the complainant who does not want to live with him, no any regular or anticipatory bail petition has been filed by the petitioner in any court of law, he has got clean antecedent, he is ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioner may be enlarged on anticipatory bail.

The learned P.P. opposed the prayer for anticipatory bail.

Perused materials available on record and from perusal of the same, it is found that accused petitioner is the husband of informant. The learned counsel for the petitioner filed an affidavit and submitted that the father of the complainant has married the complainant to another person and she has got three children from her second marriage. Repeated notices have been sent to complainant for her appearance before the court. The concerned P.S. of the parental house of the complainant was also directed to produce the complainant before the court, but in vain, the complainant never appeared before the court. It is noted that there is matrimonial dispute between the parties and no purpose would be solved to keep the petitioner (husband) in custody. Further more, as

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per guideline of the Hon'ble Court's laid down in order passed in Arnesh Kumar versus State of Bihar, I do not think it proper to reject the anticipatory bail petition of the petitioner. At para no. 3 of the bail petition, it has been submitted by the learned counsel for the petitioner that he has got clean antecedent.

Considering the above facts and circumstances of the case, I think it proper to enlarge accused petitioner on anticipatory bail. Accordingly, in the event of his arrest or surrender within one month of the receipt of this order, accused petitioner is ordered to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned Court concerned subject to condition laid down u/s 482(2) of BNSS.

- (I) the petitioner shall make himself available for interrogation by I.O. as and when required,
- (II) that the petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to the I.O. of the case.
- (II) that the petitioner shall not leave India without the previous permission of the Court
- (IV) petitioner is directed to co-operate in trial and disposal of the case.

(Dictated)


(S.M.F. BARI)

1st Addl. Sessions Judge, Saran.