

In the Court of Sessions Judge, Supaul
A.B.A.-327/2026
(Arising out of Complaint Case No:-511C/2024)

<u>11/06/2026</u>	Mukesh Kumar, S/o- Bipin Lal Das, R/o- Piluwaha, Ward No.03, PS- Jadya, District-Supaul;Accused/Petitioner Vs. State of Bihar.O.P. Ld. Counsel for petitioner Sri. Raj Kumar Singh, Advocate. Ld. APP Md. Abu Jaffar, for the State. By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioner, namely Mukesh Kumar, who is apprehending his arrest in Complaint Case No.:–511C/2024, u/s- 498(A)/506 of IPC. Ld. counsel for the accused/ petitioner argued that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioner has not involving in any other case and having the clean antecedent. He further submitted that the offence u/s- 498(A) of IPC is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is ready to abide by the provisions of section 482 of B.N.S.S, so he may be admitted to the anticipatory bail. Ld. APP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that a complaint case was filed by the complainant namely, Lakshmi Kumari against 6 accused persons, including this accused/ petitioner, who is the husband of the complainant. As per the statement of the complainant that her marriage was solemnized with this accused/ petitioner Mukesh Kumar on 24.02.2023 as per the Hindu Rites and Customs and after some time of her marriage, she was subjected to cruelty and harassment for the demand of dowry by her husband and another family members. The complainant further alleged that on 02.12.2023 she was also blessed by a son. After that the entire family members have mercilessly assaulted the complainant and the complainant has informed her parents and called the police but the accused persons are not willing to obey the directions of the police and when the police left at the place of occurrence then all the jewelries of the complainant was snatched by the accused persons and thrown out from her matrimonial home. The complainant further alleged that the accused persons have demanded Rs.5 lakh as a dowry. Argument heard from both sides and perused the lower court record. On	Contd.
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<u>Contd.</u> <u>11/06/2026</u>	perusal of the lower court record, it transpires that in this case, the complainant also examined other witnesses namely Rohit Kumar Verma and Sanjiv Shekhar Verma and on the basis of above said statement, the Ld. Magistrate has taken cognizance against this accused/ petitioner, u/s- 498(A)/506 of IPC, vide order dated 09.09.2025. Admittedly this accused/ petitioner is the husband of the complainant and as per the submission of the Ld. counsel the accused/ petitioner has also filed a case u/s- 9 of Hindu Marriage Act bearing case No.20/24, which is pending in the court of Principal Judge, Family Court, Supaul. As per the submission of Ld. counsel for accused/ petitioner, the complainant of this case has also died and he also filed an affidavit in this regard. The allegations against the accused/ petitioner is general in nature. The case revolves on complaint petition. Hence, keeping in mind the general nature of allegation and other surrounding circumstances as well as the <i>Ratio laid-down</i> by the Hon'ble Supreme Court in case of “Satendra Kumar Antil Vs. CBI” and our own Hon'ble High Court, Patna in case of “Naushad Ansari Vs. The State of Bihar”, I find that the accused/ petitioner is entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of accused/ petitioner stands Allowed and in the event of his arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, petitioner is directed to be released on furnishing bail bonds of Rs.20,000/- with two sureties of like amount each to the satisfaction of Learned Court below with condition that he shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be family member or close relative. Dictated -Sd- (Anant Singh) Sessions Judge, Supaul	
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