

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31316 of 2022**

Arising Out of PS. Case No.-17 Year-2021 Thana- MAHILA P.S. District- Rohtas

SONU KUMAR GUPTA S/o Rajendra Sah Resident of Village- Samahuta  
Pipra (Madan Rai Ke), P.s.- Kargahar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nirasha Devi D/o Soni Kumar Gupta Resident of Village- Morojhiya, P.s.-  
Nasriganj, District- Rohtas.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajani Kant Pandey,Advocate  
For the Opposite Party/s : Mr.Umeshanand Pandit,APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      09-01-2023                      Heard learned counsel for the petitioner, informant  
and learned APP for the State.

The petitioner apprehends his arrest in connection  
with Mahila P.S. Case No. 17 of 2021 for the offence registered  
under Sections 341, 323, 498(A) and 34 of the Indian Penal  
Code and Section 3/4 of the Dowry Prohibition Act.

As per the prosecution story, informant alleged that  
she got married to the petitioner in 2014 but was tortured for  
want of dowry. The further allegation is that earlier a complaint  
was filed in Mahila Police Station in which after compromise,  
she was taken to the in-laws house but once again she was  
assaulted. Left with no remedy, the present FIR was lodged.



Learned counsel for the petitioner submits that he has already preferred case under Section 9 of the Hindu Marriage Act before the concerned Court and is ready to keep his wife with full dignity.

It is his further submission that till any order is passed by the concerned Court, he is ready to pay Rs. 10,000/- per month in the bank account of his wife beginning from January, 2023 which will be merged with any order passed by Matrimonial Court.

Learned counsel for the informant on the other hand, submits that he will be providing the bank account number of the lady to the petitioner.

Taking into account the fair submissions made by the both the learned counsel for the parties and the petitioner do not have any criminal antecedent, this Court is inclined to grant him relief subject to payment of Rs. 10,000/- per month beginning January, 2023 which will be paid by 10<sup>th</sup> of every month failing which the informant will be eligible to take appropriate steps against the petitioner including the cancellation of the order passed.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1<sup>st</sup> Class, Sasaram in connection with Mahila P.S. Case No. 17 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajiv Roy, J)**

Jagdish/Neha/-

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