

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39925 of 2023**

Arising Out of PS. Case No.-3 Year-2023 Thana- MAHILA PS District- Darbhanga

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Vikash Kumar Jha, aged about 32 years, Gender – Male, S/o Vedanand Jha,  
Resident of Village- Muraitha, P.S- Jale, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      28-07-2023                      Heard Mr. Vishwajeet Kumar Mishra, learned  
counsel appearing on behalf of the petitioner and Mr. Pradeep  
Narain Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Mahila P.S. Case No. 03 of 2023 dated 18.01.2023  
registered for the offence punishable under Sections 323,  
498(A) and 34 of the Indian Penal Code read with Section 3/4 of  
the Dowry Prohibition Act.

3. As per the allegation made in the FIR by the wife of  
the petitioner, the petitioner had demanded rupees five lacs and  
upon non-fulfillment of the same, he had tortured her.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is ready to live along with the informant, who is his legally wedded wife and he will also fulfill all physical and financial requirement and he will file an affidavit to that effect before the Court below. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State submitted that the matter relates to dispute between husband and wife and that can be resolved amicably.

6. Considering the nature of allegation made against the petitioner, the petitioner is directed to file an affidavit making specific undertaking that he is ready to keep the informant, who is his legally wedded wife with full dignity and honour and will also fulfill all physical as well as financial requirement to her.

7. In case such affidavit is filed, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga, in connection with Mahila P.S. Case No. 03 of 2023



dated 18.01.2023, subject to the condition as laid down under  
Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J)**

Niraj/-

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