

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54611 of 2022

Arising Out of PS. Case No.-668 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Madhusudan Prasad S/o Nand Kishore Prasad Resident of Kaimashikoh
(Kaua Khoh), P.S.- Chowk, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari W/o Madhusudan Prasad, D/o Umesh Prasad Presently residing
at Sai Takiya, Jalla Road, P.S.- Alamganj, P.O.- Gulzarbagh, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indu Bhushan, Advocate.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 03-04-2023 Heard Mr. Indu Bhushan, learned counsel appearing

on behalf of the petitioner and Mr. Uday Pratap Singh, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 668 of 2020 registered for the offence
punishable under Section 498(A) of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

3. Prosecution story, in brief, is that the complainant
who is the wife of the petitioner has alleged in the complaint
that due to non-fulfillment of demand of dowry, she was
subjected to assault and torture by her husband and in-laws.

4. Learned counsel appearing on behalf of the



petitioner submitted that the marriage took place in the year 2014 and since then the opposite party no.2 has not made any allegation against the petitioner and for the first time the present complaint was filed in the year 2020 on frivolous allegation. The petitioner is ready to keep the complainant – opposite party no.2 who is his wife along with a girl child with full dignity and honour.

5. Considering the admitted fact that the marriage took place in the year 2014 and no complaint was filed till 13.11.2020 and the petitioner has undertaken to keep the opposite party no.2 with full dignity and honour, petitioner has made out a case to be released on provisional pre-arrest bail.

6. The petitioner is directed to be released on provisional pre-arrest bail on such terms and conditions as the court below deems fit and proper.

7. If the opposite party no.2 does not want to live with the petitioner, then opposite party no.2 is at liberty to seek appropriate remedy before the appropriate civil court for one time settlement. If such case is filed, then the provisional bail granted to the petitioner must be made absolute or if the opposite party no.2 lives with the petitioner and makes no complaint within a period of one year, the court below shall



observe the conduct of the parties and if the court gets satisfied that the parties are leading a happy married life, the provisional granted to the petitioner must be confirmed.

8. Accordingly, the bail application stands disposed of.

(Purnendu Singh, J)

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