

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69078 of 2022**

Arising Out of PS. Case No.-1250 Year-2021 Thana- VAISALI COMPLAINT CASE  
District- Vaishali

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Vikash Kumar Son of Ram Avtar Singh R/O Village- Hirpur, P.S.- Jandaha,  
District- Vaishali (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Kumari D/O Ram Pravesh Singh R/O Village- Saupol Tahariya,  
P.S.- Mahua, District- Vaishali (Bihar).

... .. Opposite Party/s

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**Appearance:**

|                          |   |                                                                     |
|--------------------------|---|---------------------------------------------------------------------|
| For the Petitioner       | : | Mr. Sudama Kumar, Advocate<br>Mr. Anand Prakash, Advocate           |
| For the Informant        | : | Mr. Manoj Kumar Jha, Advocate<br>Mr. Kumar Chandrashekhar, Advocate |
| For the Opposite Party/s | : | Mr. Satyendra Narayan Singh, APP                                    |

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

- 3      24-03-2023              In view of the submission made by learned counsel for opposite party no. 2, the petitioner is directed to make necessary correction in paragraph no. 1 of his petition with regard to the offences under which cognizance has been taken by the Trial Court in the course of day.

Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.

Petitioner seeks regular bail in connection with Hajipur Court Complaint (Distt-Vaishali) case no. 1250 of 2021 registered for the offences punishable under Sections 498(A) and 494 of the Indian Penal Code and Section 4 of Dowry

Prohibition Act.

As per the prosecution, the informant (victim) alleged that this petitioner (husband of the victim) abused and assaulted the victim over non-fulfillment of dowry demand. Further it is alleged that this petitioner was having illicit relation with one Rani Kumari and upon objection made by the victim, she was ousted out of her matrimonial house.

The main submissions advanced by learned counsel for petitioner are that the instant matter is based on complaint filed by petitioner's wife (opposite party no. 2) and in between both the spouses a maintenance case is also running before the Court concerned and in the present the petitioner is facing trial and he has been languishing in jail since 15.06.2022 and allegations levelled by his wife in her complaint petition are completely false.

Learned counsel for opposite party no. 2 has vehemently opposed the bail prayer and submitted that petitioner has solemnized marriage with another girl namely, Rani Kumari and he has spoiled the life of this petitioner and her child and he forced the opposite party no. 2 to give her nude photographs so that he could make them viral on social media for the purpose of earning money and like this he also took some obscene

photographs of his lover namely, Rani Kumari and made them viral on social media and accordingly there is serious allegation against the petitioner and he has not only spoiled the life of this petitioner but the life of his second wife also and he does not deserve to the privilege of bail. Further submission is that the opposite party no. 2 has filed a maintenance case but the petitioner is not providing any maintenance to her and her child.

Learned APP for the State has opposed the bail prayer.

In view of the facts and circumstances of this case and mainly considering the petitioner's custody period, in my opinion, a lenient approach can be taken in respect of the petitioner's prayer. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Hajipur Court Complaint (Distt-Vaishali) case no. 1250 of 2021.

Further, the petitioner shall pay Rs. 2,000/- (Two thousand) per month to the opposite party no. 2 for her and her child's maintenance and the said amount will be adjusted in the maintenance amount, if the same is fixed, in the maintenance case filed by the opposite party no. 2 which is running before the competent Court and the said amount will be paid to

opposite party no. 2 after the expiry of one month from the date  
of this order.

**(Shailendra Singh, J)**

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