

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39971 of 2024

Arising Out of PS. Case No.-11 Year-2022 Thana- MAHILA P.S. District- Muzaffarpur

Raj Kishore Kumar @ Raj Kishore Ram, Son of Late Mahendre Ram,
Resident of Village- Sada Wisaiya @ Pana Chhapra, Sandha Sumer, P.S-
Motipur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushboo Kumari, Wife of Raj Kishore Kumar @ Raj Kishor Ram,
Daughter of Umesh Ram, Resident of Village- Pratapur, P.S- Karja, District-
Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sachin Kumar, Advocate
For the State	:	Mrs. Pushpa Sinha-1, APP
For the O.P. No. 2	:	Mr. Chandra Shekhar Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 17-12-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no. 2.

02. In the present case, the petitioner is apprehending
his arrest in connection with Mahila P.S. Case No. 11 of 2022
registered for the alleged offences under Section 341, 342, 323,
506, 494 and 498(A)/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner is the
husband of the informant and there is allegation of demanding a
motorcycle and Rs. 1 lac in dowry and consequent torture on
account of non-fulfillment of this demand.

04. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The petitioner never tortured or treated the informant with cruelty. The allegations in this regard are false and concocted. The learned counsel further submits that the petitioner undertakes to make payment of Rs. 5,000/- per month to the opposite party no. 2 and his daughters towards their maintenance till disposal of Mahila P.S. Case No. 11 of 2022.

05. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the opposite party no. 2 submits that the petitioner has solemnized second marriage and did not participate in the mediation proceeding.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the nature of allegation, relationship of the parties and also considering the undertaking of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Mahila P.S. Case No. 11 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following



conditions:

(i) The petitioner would make payment of Rs. 5,000/- per month on or before 15th day of each month till disposal of Mahila P.S. Case No. 11 of 2022.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

07. However, it is made clear that payment of this amount will be subject to adjustment pursuant to further orders made by any competent court with regard to maintenance to the opposite party no. 2.

V.K.Pandey/-

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(Arun Kumar Jha, J)

