

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39197 of 2023**

Arising Out of PS. Case No.-42 Year-2020 Thana- MAHILA P.S. District- Nawada

=====

GOPAL KUMAR Son of Bijendra Singh @ Jahar Singh Resident of Village-  
Rajaur, PS- Nardiganj in the district of Nawada

... .. Petitioner/s

Versus

1. The State of Bihar  
2. Mandavi Kumari, wife of Gopal Kumar, resident of village Samay, P.S.  
Muffasil, District Nawada.

... .. Opposite Party/s

=====

**Appearance :**

|                    |   |                                   |
|--------------------|---|-----------------------------------|
| For the Petitioner | : | Mr. Sunil Kumar, Advocate         |
| For the State      | : | Mrs. Pushpa Sinha, APP            |
| For the O.P. No.2  | : | Mr. Dhannjay Kumar No.2, Advocate |

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

5      08-02-2024                      Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 498A, 504 & 379/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. Petitioner has neither made any dowry



demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. Learned counsel for the petitioner further submitted that petitioner is ready to make payment of Rs. 5,000 /- (Rupees Five Thousand) in second week of every succeeding month in the bank account of opposite party no.2 as per the details furnished by her counsel.

5. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned Court below where the case is pending/successor Court in connection with Nawada Mahila P.S. Case No.42 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial, maintenance or any other collateral proceedings.

7. The present order, in any way, will preclude the parties to resolve the issue otherwise.

8. It is made clear that if the petitioner fails to make payment on three consecutive dates, the learned court



below will be at liberty to cancel the bail bond of the petitioner.

9. Accordingly, this application stands disposed of.

**(Anjani Kumar Sharan, J)**

Trivedi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

