

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40479 of 2022

Arising Out of PS. Case No.-216 Year-2022 Thana- NATHNAGAR District- Bhagalpur

PRATIK ALIAS PRATIK RAJ Son of Pushpraj @ Pushpraj Choudhary
Permanent Resident of Village - Makandpur, P.S.- Natgh nagar, Dist.-
Bhagalpur at Present residing at Z-62, Top Floor West Patel Nagar,
Delhi.110008

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shikha Tiwari W/o Paratik Resident of Village - Makandpur, P.O.-
Rannuchak, P.S.- Nath Nagar, Distt.- Bhagalpur.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41399 of 2022

Arising Out of PS. Case No.-216 Year-2022 Thana- NATHNAGAR District- Bhagalpur

1. SADHNA @ SADHNA CHOUDHARY @ SADHANA KUMARI S/O
PUSP RAJ @ PUSP RAJ CHOUDHARY Resident of Village- Makandpur,
P.S.- Nath Nagar, District- Bhagalpur.
2. PUSP RAJ @ PUSP RAJ CHOUDHARY @ PUSHRAJ S/O SHALIGRAM
CHOUDHARY Resident of Village- Makandpur, P.S.- Nath Nagar, District-
Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHIKHA TIWARI W/O PRATIK Resident of village- Makandpur, Post-
Rannuchak, P.S.- Nath Nagar, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40479 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, Addl Public Prosecutor
Mr. Mritunjay Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 41399 of 2022)

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party/s : Rita Verma, Addl Public Prosecutor
Mr. Mritunjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

11 02-05-2024

Cr.Mis.No. 40479 of 2022.

Heard learned counsel for the petitioner, the State and



the opposite party no.2.

2. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Sections 498A, 341, 34 and other allied sections of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. It is submitted by learned counsel for the petitioner submits that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 5000/-per month, starting from this month to the opposite party no.2.

4. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 5000/- per month, in the event of arrest/surrender within a period of six weeks from today, above-named petitioner 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 the Chief Judicial Magistrate, Bhagalpur in Nath Nagar Police Station Case No. 216 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) Opposite party no.2. would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the opposite party no.2.

(iii) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(iv) The aforementioned payment will be subject



to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.

Cr.Mis.No. 41399 of 2022

Heard learned counsel for the petitioners, the State and opposite party no.2.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 498A,341/34 and other ancillary sections of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.

3. Learned counsel appearing for the petitioners submits that the petitioners are mother-in-law and father-in-law of the victim. Allegation of torture and harassment is general and omnibus and no overt act has been alleged against them. They are separate in mess and business.

4. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Nath Nagar Police Station Case No.



216 of 2022, subject to the conditions laid down under section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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