

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6379 of 2025

Arising Out of PS. Case No.-26 Year-2020 Thana- SARAN COMPLAINT CASE District-
Saran

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Bharat Kr. Gupta @ Bharat Sah Son of Kishori Sah village- Mirjapur
Gangajal, Ps- Sonpur, Dist- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Kumari Daughter of Kedar Sah , Wife of Bharat Sah village-
Firozpur, Po- Khodaibag, Ps- Khaira, Dist- Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-07-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 26 of 2020 dated 04.01.2020
registered for the offence punishable under Sections 498(A) of
the I.P.C.

3. Earlier *vide* order of this Court dated 09.05.2025
with the consent of both the parties, the matter was referred to
Patna High Court Mediation and Reconciliation Centre for
exploring the possibility of amicable settlement of dispute
between the parties. Accordingly, the report of mediation as held
on 18.06.2025 is on record at Flag 'M' which goes to show that
despite the best and sincere efforts, the dispute between the



parties could not be resolved through the process of mediation.

4. The brief fact as per the complaint report is that, the marriage of the Opposite Party No.2 was solemnized with the petitioner on 17.06.2012 and after the marriage, the petitioner along with other family members, started demanding Rs. 1,00,000/- cash, by way of dowry and due to non fulfillment of the said demand, the petitioner and others forced Opposite Party No.2 to leave her matrimonial home.

5. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. From perusal of the complaint petition, it is apparent that only general and omnibus allegation has been made against the petitioner regarding demand of dowry and torture although the petitioner and / or his family members never made such demand as alleged in the complaint petition. The fact of the matter is that the informant / opposite party no. 2 herself does not want to live with the petitioner. The petitioner is ready and willing to keep the informant / opposite party no. 2 with full honour and dignity. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family the petitioner undertakes to pay a sum of Rs. 3,000/- per month to



the Opposite Party No. 2 as “living cost” subject to final outcome of the present case as well as matrimonial case and / or maintenance case filed and decided between the parties.

6. Learned counsel for the informant / Opposite Party No. 2 accepts the offer so made by learned counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 3,000/- per month in the bank account of the informant / Opposite Party No. 2 details of which shall be furnished by learned counsel for the Opposite Party No. 2 to learned counsel for the petitioner within ten days from today.

7. After having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned counsel for the petitioner has been accepted by learned counsel for the Opposite Party No. 2 , as such, I am inclined to grant the privilege of anticipatory bail to the petitioner.

8. Let the petitioner, above named, in the event of arrest/surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate-XIII, Saran at Chapra in connection with Complaint
Case No. 26 of 2020 subject to the condition laid down under
Section 438(2) of the CrPC/Section 482(2) of the BNSS, 2032
with a further condition:-

(i) that the petitioner shall deposit a
sum of Rs. 3,000/- per month in the bank account
of the Opposite Party No. 2 positively by the 7th
day of every month starting from the month of
August, 2025.

(Anil Kumar Sinha, J)

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