

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6563 of 2025

Arising Out of PS. Case No.-36 Year-2024 Thana- MAHILA THANA District- Begusarai

Sunil Kumar S/O Sri Gorelal Rai R/O Village- Chakbali,(Chakbali Diyara),
Ward no.- 02, P.S- Barauni, District- Begusarai

... .. Petitioner

Versus

1. The State of Bihar
2. Priyanka Kumar W/O Sunil Kumar , D/O Shri Shiv Shankar Mahto R/O
Vill.- Sadananadpur, P.S- Ballia, Dist.- Begusarai

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s :	Mr.Nand Kumar, A.P.P.
	Mr. Amit Kr.Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-04-2025 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2.Petitioner, who is husband of opposite party no.2,
apprehends arrest in a case registered for the offence punishable
under sections 85, 115(2), 127(1), 352, 351(2) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and sections 3 & 4 of the Dowry
Prohibition Act, 1961.

3. Prosecution case in brief is that opposite party no.2
was married with the petitioner in 2019. After marriage, this
petitioner along with other accused persons started demanding
dowry of Rs. 2 lacs and a motorcycle and on non-fulfillment of
the same they used to assault and torture her. Lastly, accused
persons ousted opposite party no.2 from her matrimonial house.

4. Learned counsel appearing for the petitioner, while
denying the allegations, submits that the petitioner is innocent
and has falsely been implicated in this case because he happens
to be husband of opposite party no.2. Petitioner is ready to settle



the dispute with opposite party no.2 and he is also ready to keep her with full honour and dignity. Learned counsel further submits that the petitioner is ready to give Rs. 3000/-per month to opposite party no.2 by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings.

5. Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner, being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry and also ousted her to her parents' house. It is further submitted that she has no means of livelihood and is on the verge of starvation.

6. In view of the undertaking of learned counsel for the petitioner as well as condition of opposite party no.2, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, 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 Sub Divisional Judicial Magistrate, Begusarai in Mahila Police Station Case No. 36 of 2024, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 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 interim relief per month in the saving bank account of the opposite party no.2.



(iii) In case, petitioner fails to deposit the aforesaid amount of temporary relief/solace 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.

(Prabhat Kumar Singh, J)

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