

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13957 of 2025

Arising Out of PS. Case No.-219 Year-2024 Thana- FATEHPUR District- Gaya

Rishi Raj S/O Baleshwar Prasad Yadav R/O Sarweshwari Nagar, Bajra, Hehal Ranchi, Jharkhand- 834005, P.O- Hehal, P.S- Sukhdeonagar, Aadhar No. 342111189793, Mobile No. 9708537645.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar Deo

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 12 03-12-2025 1. Heard learned Counsel for the petitioner, learned Counsel for the complainant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
2. The matter was referred to the mediation vide order, dated 28.03.2025, however, the mediation failed. When the matter was taken up and heard, both the parties expressed their willingness for the matter to be placed in Chambers to enable this Court to explore possibility of amicable settlement between the parties.
3. Pursuant to previous orders, both husband and wife are present-in-person in Chambers alongwith their respective counsels. This Court persuaded the parties for amicable settlement, but could not succeed in the same.



Accordingly, this anticipatory bail application is being decided on its merit.

4. The petitioner apprehends his arrest in connection with Fatehpur Police Station Case No. 219 of 2024, registered for the offences punishable under Sections 323/342/379/313/307/498A/34 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act and Section 3 and 4 of the Prevention of Witch Practices Act.
5. That the prosecution story in brief is that the marriage of the informant was solemnized with the petitioner in the year 2018, where informant's parents gave Rs. 10 Lakh cash, gold, furniture and other articles. It is alleged that soon after marriage, the petitioner and the accused persons began demanding a KTM motorcycle for which informant's father gave Rs. 2 Lakhs to the petitioner. It is further alleged that despite payment of Rs. 2 lakhs, the mental and physical torture continued, she was abused, beaten, taunted as "witch," denied proper food and medical care. The informant was assaulted even during pregnancy, resulting in the death of her newborn due to malnourishment and illness. Later attempts were made to abort the informant pregnancy. On several occasions



attempts for conciliation between both the parties were made but were all resulted in vain. Subsequently, the petitioner and accused persons started demanding Rs. 5 lakhs and threatening to kill her and to perform second marriage if demand remained unfulfilled. On 08.02.2024, the petitioner and other accused persons tried to kill the informant by strangulation, ousted her from the matrimonial house after taking her jewellery and cash.

6. 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. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending and/or decided between the parties.
7. On the other hand, learned counsel for the complainant- Opposite Party No. 2 submits that the complainant is at verge of starvation and having no source of income, she 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. 5,000/- per month in the bank account of the complainant-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.

8. 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, I am inclined to grant the petitioner privilege of anticipatory bail.
9. This application is, accordingly, allowed.
10. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon 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 X, Gaya, in connection with Fatehpur Police Station Case No. 219 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



11. This is further subject to the condition that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of Opposite Party No. 2, starting from 10th January, 2026.

(Anil Kumar Sinha, J)

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