

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11677 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- GOVINDPUR District- Nawada

Rajesh Kumar S/o- Basudeo Yadav @ Vasudev Yadav Village- Baniya Bigha
Ps- Govindpur District-Nawadah

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tuni Devi W/o- Rajesh Kumar, D/o- Bajo Yadav @ Birendra Yadav Village-
Pansalla Ps- Muffasil Dist- Nawadah

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Ms. Rina Sinha

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant/opposite party no. 2 and learned APP
for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2) 352, 351(2), 109(2) 85, 3(5) and 498A of the Indian
Penal Code.

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. The First Information Report discloses the



allegations of demand of dowry and torture.

5. Learned counsel for the petitioner submits that the allegations made in the F.I.R. are not correct and as a matter of fact, the informant has been staying along with the petitioner and often she leaves the house at her own will. He points to the bail rejection order, a perusal of which would also show that the informant has even accepted before the Court below that she is staying along with the petitioner and the petitioner is keeping her properly.

6. Learned counsel for the informant submits that the informant is not kept properly by the petitioner and hence, she is unable to stay in the matrimonial house.

7. The petitioner, who is posted in Maharashtra as Group D employee in Railways is unable to come to his native place very frequently and hence, at this stage, he is ready to pay an amount of Rs.3500/- (Rupees Three Thousand Five Hundred) per month to opposite party No.2 in first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. In such view of the matter, let the above named petitioner, be released on bail on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Sub-Divisional Judicial Magistrate, Nawada, in connection with Govindpur P.S. Case No.265 of 2024 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial. If the O.P. No.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the O.P. No.2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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