

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13933 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- Singhaul District- Begusarai

Kaushal Kumar S/o- Gopal Ram Resident of Village- Ullao Kewal Tola ward
No 03 Police Station- Singhaul, Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Kumari D/o- Shivjee Ray Moh- Lohiya Nagar W.No-28, Ps- Lohiya Nagar Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ranjeet Kumar
For the Opposite Party/s :	Mr.Uma Shankar Prasad Singh
	Mr. Vinod Gautam

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 28-07-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 498A of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act in which summon has been issued vide order dated 30.11.2022.

3. Allegation in the first information report arising out of a complaint is that the informant has been tortured and treated with cruelty on account of non-fulfillment of dowry.

4. Learned counsel for the petitioner submits that the allegations levelled in the first information report are not correct. It is further submitted that the informant was earlier married to another person and it is an admitted fact that there



was no divorce and hence, any marriage even subsequently performed will not have the valid sanction of law. Further, the present case is being filed after a lapse of seven years in the year 2024 whereas the date of occurrence as according to her own admission is 2017. After perusing the materials collected during the course of investigation, it appears from paragraph 29 and subsequent paragraphs of the case diary that no external injury was found on the person of the informant nor any objectionable photographs or video were produced and such allegations have been made only to make the case serious. In such view of the fact, it has been stated that the case has been found true only under Sections 498A and other analogous sections and not under Sections 376, 420, 307 and 384 of the IPC.

5. Learned counsel for the opposite party no. 2, however, opposes the grant of anticipatory bail on the ground that the informant is the valid wife of the petitioner and to substantiate the same, Adhar card etc. has been produced.

6. At this stage, the petitioner offers to give Rs.3000/- (rupees three thousand) per month to opposite party no.2 in the 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.



7. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 below where the case is pending/successor court in connection with Singhaul P.S. Case No. 72 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

8. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party 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 opposite party no.2 would be at liberty to file cancellation of bail.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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