

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24765 of 2024

Arising Out of PS. Case No.-945 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Rakesh Kumar S/o Late Rajendra Prasad @ Prabhu Ji R/o Mohalla - Salar
Chak Hata, P.S. - Malsalami, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Jyoti Devi W/o Rakesh Kumar R/o Mohalla - Salar Chak Hata, P.S. -
Malsalami, Dist. - Patna At present House of Savitri Devi, W/o - Late
Rajendra Prasad, Mohalla - Naya Gaon, P.S. - Alamganj, Dist. - Patna
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Adv.
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

11 12-08-2025 Heard learned counsel for the petitioner and learned APP
for the State. However, nobody appears on behalf of the
complainant despite repeated notices.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 379,
403, 323, 504, 498A/34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act. However, cognizance has
been taken under Sections 498A, 323 and 34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The instant case arises out of the complaint filed by the
opposite party no.2, wife of the petitioner, alleging therein that
there was demand for dowry and the consequent torture upon
her.



4. Learned counsel for the petitioner submits that all the allegations levelled in the FIR are not correct and as a matter of fact, the petitioner had always been ready to keep his wife with full dignity and honour, but it is the complainant who was never ready to resume her conjugal life. It also appears from the bail rejection order that the complainant does not wish to stay with her husband.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Considering the entire facts and circumstances of the case, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 the learned lower Court where the case is pending/successor Court in connection with Complaint Case No. 945 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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