

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15913 of 2025

Arising Out of PS. Case No.-344 Year-2023 Thana- CHAUTHAM District- Khagaria

Rahul Kumar @ Rahul Kumar Thakur Son of Rajendra Thakur Resident of
Village - Thuthi Mohanpur, P.S. - Chautham, District - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dipa Devi Wife of Rahul Kumar @ Rahul Kumar Thakur Resident of
Village - Kurha, Ward No.10, P.S. - Sahebpur Kamal, District - Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Adv.
For the State	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Rahul Singh, Adv.
		Mr. Amar Kumar Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A), 494, 323, 379, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of the informant, is said to have tortured upon her physically and mentally and ousted her along with her children from the matrimonial home in association of his family members over the dowry demand.

4. The matter had earlier been referred to the Mediation Centre, Patna High Court for resolving the disputes amicably



between the parties. The report received from the Mediation Centre, however, discloses that the said mediation between the parties failed.

5. Learned counsel for the petitioner submits that the allegations made in the FIR are not correct and as a matter of fact, the petitioner has always been ready to keep his wife with due dignity and honour and it is the quarrelsome nature of the informant due to which they are not able to lead a peaceful conjugal life. Learned counsel for the petitioner has produced a document by which an offer had been made by the petitioner in the Mediation Centre of the learned Court below in respect of the maintenance case that he would be paying an amount of Rs. 3,000/- (Rupees Three Thousand) per month to the informant till a final order is passed in the maintenance case. He next submits that the petitioner is regularly paying the amount of Rs. 3,000/- (Rupees Three Thousand) to the informant.

6. Learned APP for the State and learned counsel appearing for the informant oppose the prayer for anticipatory bail supporting the allegations levelled against the petitioner. Learned counsel for the informant controverts the submission advanced on behalf of the petitioner with regard to the payment of Rs. 3,000/- (Rupees Three Thousand) per month by the



petitioner to the informant as per his own offer.

7. At this stage, considering the fact that there are two children out of the wedlock, learned counsel for the petitioner agrees that the petitioner would make a payment of Rs.3500.00/- (Rupees Three Thousand Five Hundred) per month to the informant in the second week of every month for the sustenance of the informant and her children.

8. Considering the facts and circumstances of the case, 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 Chautham P.S. Case No. 344 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

9. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

10. It is made clear that in case the petitioner fails to pay the aforesaid amount on two consecutive months, the informant



shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner and at the time of filing of the bail bond, it would be confirmed that the arrears of payment of the earlier agreed amount of Rs. 3,000/- (Rupees Three Thousand) per month has been made.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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