

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19142 of 2025

Arising Out of PS. Case No.-62 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Arjun Das Son of Late Ganpati Ram Resident of Quarter No.- 576, Loco
Colony, P.O.- Khagaul, P.S.- Danapur and District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Kavita Wife of Arjun Das Resident of Quarter No.- 576, Loco
Colony, P.O.- Khagaul, P.S.- Danapur and District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harshit Griyaghey, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 19-09-2025 Pursuant to the last order dated 16.09.2025, when the

learned counsel for the informant undertook that the lady shall

appear in the Court, the order was passed but the couple

remained absent.

2. Today on call, it has been informed that he has no

instruction on the absence/presence of the lady.

3. In that background, this Court cannot overlook the

Mediator's report in which it has been recorded that despite six

adjournments, the opposite party no.2 failed to appear. The

Mediator's report is dated 29.07.2025.

4. Heard the parties.

5. The petitioner is apprehending arrest in connection



with Complaint Case No. 62 of 2023 instituted under Sections 323, 504 and 498A of the Indian Penal Code filed by the complainant, Kumari Kavita.

6. As per the complainant, the informant/complainant alleged that the marriage took place in the year 1998 and the couple was blessed with child who is now 20 years old but was tortured for dowry. The allegation is that in the year 2022, the accused harassed the complainant and the son which was informed to the Railway Department whereafter, the torture continued. This led to the complaint.

7. Learned counsel for the petitioner submits that the allegation made in the complaint is wrong, he always is/was ready to keep his wife with full dignity and honour and in continuation of that, is further ready to pay Rs.10,000/- to her every 10th of the said month for her better living.

8. Learned APP as also learned counsel for the informant though opposes the prayer concedes that till they come together, if the petitioner is giving economic support, he has no objection.

9. Considering the submissions of the parties as also the fact that the husband pursuant to the last order appeared before this Court but the wife chose to remain absent, the



husband is ready to economically support the lady every month to the tune of Rs.10,000/-, in that background, this Court this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- as under:

(i) the petitioner shall be transferring Rs.10,000/- by 10th of every month to the lady;

(ii) failure to do so, the lady shall be free to take steps for cancellation of the bail bond;

10. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Complaint Case No. 62 of 2023 to the satisfaction of learned ACJM-I, Danapur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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