

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24558 of 2025

Arising Out of PS. Case No.-1323 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Vishnu Kumar @ Vishnu Prasad S/o Ranjan Prasad Resident of Village-
Bankat, P.S. Garahani, District- Bhojpur at Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakshmi Kumari D/o Dharmant Prasad, W/o Vishnu Kumar @ Vishnu Prasad R/o vill - Bankat, P.S.- Garahani, Distt.- Bhojpur at Ara, at present vill - Mauzpur, P.O.- Mahuli Ghat, P.S.- Barahara, Distt.- Bhojpur at Ara

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dharmesh Kumar Shrivastava, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel representing the

complainant.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 1323(C) of 2022
registered for the offence under Sections 498(A) of the Indian
Penal Code, lodged by the complainant Lakshmi Kumari.

3. As per the complaint, the marriage took place in
the year 2018 and the lady is also blessed with a child in the
year 2022, demanding dowry and after torturing her, she was
thrown out of home which followed the present case.

4. Pursuant to the desire shown by the petitioner that



he wants to keep the lady with full dignity and honour, notice was issued on 02.05.2025. The complainant alongwith her counsel has appeared and has narrated that the petitioner earlier took away a minor girl for the purpose of marriage which led to the lodging of Azimabad P.S. Case No. 46 of 2024 under section 365, 366(A), 504 and 506 of the Indian Penal Code and as per the petition, presently, he is out on bail. She further submits that during the period of conciliation, the petitioner remained with the lady and now she is again pregnant, she has no economic support and is at the mercy of his parents/brother. It is her further statement that being 8th Pass she would like to stand on her own, if given any government benefits.

5. Considering the trauma, the lady has faced at one stage, this Court was not inclined to extend any relief to the petitioner. However, learned counsel for the petitioner submits that despite the lady for the present is not ready to move ahead, as the petitioner is the father of a child and the another child is coming in this world, will try his level best to take her back. Till it happens, he is ready to support her economically by paying Rs.5,000/- per month in the account of the lady/wife which he shall be depositing by 10th of every month. Failure to do so, the complainant shall be free to take recourse to cancellation of bail



bond. In that background, this Court is inclined to extend him the privilege of anticipatory bail.

6. On the date of surrender, the petitioner shall be providing the first Bank Draft of Rs.5,000/- in the name of the lady issued by the local branch of State Bank of India and/or the receipt showing deposition of Rs.5,000/- in her bank account. The lady shall also be providing her bank account number to the concerned court so that the same is incorporated when the petitioner executes his bail bond.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara, in connection with Complaint Case No. 1323(C) of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following 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/her bail bond by the Trial Court itself;

(iii) 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;

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

8. Additionally, this Court directs the **Block Development Officer, Barhara, Bhojpur**, to personally visit the residence of the complainant, **Lakshmi Kumari** where she is staying (**Lakshmi Kumari**, daughter of **Dharmant Prasad**, Resident of Village- **Mauzpur, P.O.- Mahuli Ghat, P.S.- Barahara, District- Bhojpur at Ara**) in next fortnight and after discussing with her to take appropriate steps by providing appropriate training to her available in the said district/block in whatever field the lady may show her inclination. If there is any scheme of the government of extending financial support, the same be also extended to her in accordance with law/rules.

9. The entire development that takes place after the Block Development Officer, Barhara, Bhojpur visits her home



shall be provided by way of counter affidavit through Mr. Jitendra Kumar Singh, learned APP.

10. Let the name of Mr. Jitendra Kumar Singh, learned APP shall appear in the cause list.

11. Let the matter come up on 17.10.2025 under the heading ‘To Be Mentioned’.

12. Let a copy of the order be sent to the Block Development Officer, Barhara, Bhojpur for perusal and needful.

(Rajiv Roy, J)

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