

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30521 of 2024

Arising Out of PS. Case No.-519 Year-2013 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Rakesh Kumar Sah @ Mintu Sah Son of Arun Kumar Sah Resident of
Lohapatti, P.O. Gulabbag, P.S.- Sadar (Khushkibag), District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Preeti Kumari Wife of Rakesh Kumar Sah Resident of Village- Lohapatti,
P.O.- Gulabbag, P.S.- Sadar (Khushkibag), District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Adv.
For the State	:	Mr. Pronoti Singh, APP.
For the Complainant	:	Mr. Amit Kumar, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 15-05-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A), 494 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 complainant, wife of the petitioner, alleging therein that there was demand of dowry and the consequent torture upon her.

4. The matter had been referred earlier to the Mediation and Conciliation Centre, Patna High Court for resolution of the disputes between the parties, but the mediation process failed.



5. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are not correct and as a matter of fact, the petitioner has always been ready to keep his wife with due dignity and honour, but it is the complainant who is not desirous of staying in her matrimonial house. It is next submitted that the petitioner will neither abscond nor tamper with the evidence rather will cooperate in the investigation.

6. Learned APP for the State and learned counsel appearing for the complainant oppose the prayer for anticipatory bail supporting the allegations levelled against the petitioner.

7. At this stage, learned counsel for the petitioner makes an offer on behalf of the petitioner that he would make the payment of Rs. 4000.00/- (Rupees Four Thousand) per month to the complainant in the second week of every month.

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 C.R. No. 519 of 2013, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

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. Learned counsel for the complainant is directed to furnish the bank account details of the complainant in the learned Court below. If the complainant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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