

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25034 of 2025

Arising Out of PS. Case No.-31 Year-2023 Thana- Mahila District- Arwal

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Ashutosh Kumar @ Prince Kumar Son of Ravindra Singh Resident of Village
- Kateshar, P.S.- Rampur Chouram, District - Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Khusbu Kumari Wife of Ashutosh Kumar @ Prince Kumar D/o Umesh Singh, Resident of Village - Sevabigha, P.S.- Kurtha, District - Arwal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 02-09-2025

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 31 of 2023 registered for the offence under Sections 323, 341, 379, 498(A), 494 and 34 of the Indian Penal Code and section 3 and 4 of the Dowry Prohibition Act, lodged on 28.06.2023 by the informant, Khushbu Kumari.

3. As per the prosecution story, the marriage took place in the year 2019 but for want of dowry she was tortured and finally ousted from the house within a year in the year 2020. The allegation is that he also performed second marriage which followed the present case.

4. The informant has appeared and submits that having married the petitioner in the year 2019, she is very much ready to continue with her marriage.



5. Learned counsel for the petitioner submits that now good sense has prevailed upon him and a categorical statement has been made in paragraph no. 10 of the petition that he wants to continue his marital status with his wife with full dignity and honour, if she is still willing to live with him. Further submission is that the petitioner has made a sincere effort and if changes his track, the complainant shall be free to take recourse for the cancellation of the bail bonds, if granted relief.

6. In that background and on the undertaking given by the petitioner, this Court for the sake of marriage, allows the present petition with condition that the lady-informant namely, Khusbu Kumari shall be present physically before the Court when the petitioner files his bail bond along with her credentials.

7. The Court concerned shall enquire from the lady on the treatment that she has received after reaching the home of the petitioner before accepting the bail bond.

8. It is expected that the petitioner shall take immediate steps for taking her back home.

9. 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, Arwal, in connection with Mahila P.S. Case No. 31 of 2023 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.

(Rajiv Roy, J)

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