

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25421 of 2025

Arising Out of PS. Case No.-266 Year-2024 Thana- COMPLAINT CASE District- Araria

Jay Kumar Mandal @ Jay Kumar S/o Sanjay Mandal Resident of village-
Hatiwala Sonapur, Ward no. 02, P.S.-Bhargama, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Guriya Kumari D/o Narayan Mandal and W/o Jay Kumar Mandal Resident of village- Kumhara, Ward no. 11, P.S.- Bousi Basetti, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s	:	Dr. Kumar Uday Pratap, APP
For the Complainant	:	Mr. Gopal Kr. Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2025 Heard Mr. Mukesh Kumar Rana, learned counsel

for the petitioner, Mr. Gopal Kr. Jha, learned counsel appearing

on behalf of the complainant as well as Dr. Kumar Uday Pratap,

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 266 of 2024, F.I.R for the
offences punishable under Section 498A of the Indian Penal
Code and Sections 3/4 of the DP Act.

3. According to prosecution case, all the accused
persons including this petitioner who happens to be the husband
of the complainant have tortured the complainant physically and
mentally due to non-fulfillment of demand of dowry and also



ousted her from her matrimonial house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offences as alleged in the complaint petition. He further submits that due to ill behaviour of the complainant the petitioner has performed the second marriage.

5. Learned counsel for the complainant on the other hand submits that in view of the subsequent development, complainant is not ready to live with the petitioner.

6. Learned counsel for the petitioner on instruction submits that the petitioner is ready to pay Rs. 3,000/- per month as an interim maintenance to the complainant till the disposal of the maintenance case, if any.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on



furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 266 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner is directed to pay Rs. 3,000/- per month to the complainant in her bank account no. 43743385882, IFSC Code - SBIN0001739 as an interim maintenance and if the petitioner fails to pay the aforesaid maintenance amount to the complainant then the complainant has liberty to move before the appropriate forum/court for cancellation of the bail bond of the petitioner.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iv. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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