

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29882 of 2025

Arising Out of PS. Case No.-4116 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Rahul Kumar, Son of Arun Kumar Thakur, Resident of Village and Post
-Susta, Muhamadpur, PS -Sakra, District -Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Shweta @ Sweta Singh, Wife of Rahul Kumar, Daughter of Ashok Kumar singh, village- House No. 101, NTPC Colony, Phase -3, Ambedkar Path, P.S.- Rajiv Nagar, Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Anjani Kumar Jha, Advocate
For the State	:	Mr. Anish Chandra, APP
For the Opp. Party No.2	:	Mrs. Sandhya Mishra, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-08-2025 Heard Mr. Anjani Kumar Jha, learned Advocate for

the petitioner and the learned APP for the State. The

complainant is represented through Mrs. Sandhya Mishra,

learned Advocate

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 4116(C) of 2023, wherein
cognizance has been taken for the offences under Sections 498A
of the Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act.

3. Based upon the complaint, the prosecution alleges
that the marriage of the petitioner was solemnized with opposite



party no.2 on 12.05.2022. At the time of marriage, Rs.51,00,000/- cash and ornaments i.e. 560 Gms Gold and 1.5 Kg Silver along with other household articles, including car, have been given to the petitioner and his family members. It is further alleged that after the marriage on 13.05.2022 the opposite party no.2 came to her matrimonial home and Gauna was performed on 15.05.2022 thereafter she was brought to her *Maika*. It is further alleged that while she was returning to her *Maika*, her mother-in-law taken all the belongings and ousted her only with her clothes, which she was wearing.

4. Learned Advocate for the petitioner submitted that admittedly the complainant remained only for two days in her matrimonial house and the allegation of cruelty has been levelled for huge demand of dowry. Taking this Court through the *Whatsapp* chat, the copy of which has been brought on record, as Annexure-P/2, it is submitted that the reason behind the institution of the Complaint case is otherwise; moreover, the complainant has made all sorts of allegation before all the head of the institution, where the petitioner has been working with regard to the impotency of the petitioner and thereby tarnished his image. The act of the complainant finally compelled the petitioner to file Divorce Case, bearing Divorce Case No. 825 of



2023, which is pending consideration before the learned Principal Judge, Family Court. It has also been informed to this Court that the complainant has also filed Maintenance Case, apart from the Domestic Violence case, bearing no. 114 of 2023. The petitioner is a Government servant, holding post of an Assistant Engineer; he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State and the opposite party no.2 oppose the bail application and submit that from the complaint case it appears that serious allegation has been levelled that the petitioner along with his parents demanded a huge amount of dowry and subjected her to harassment, despite the fact that they have been given total amount of Rs.2.5 crores at the time of marriage; moreover, the matter was sent for mediation before the Patna High Court Mediation Centre where the petitioner has shown his unwillingness to keep his wife and in fact he has always asked for one time settlement.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the fact that the complainant has remained only for two days in her matrimonial house and thereafter the present Complaint



Case came to be filed, apart from the pendency of the Divorce case, Maintenance case as well as Domestic Violence case, as also the Whatsapp masages, the authenticity of which has not been denied; all the more the matter was sent to the Patna High Court Mediation Centre, but the dispute between the parties could not be resolved through the process of Mediation, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Complaint Case No. 4116(C) of 2023, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

7. It is expected that both the parties shall bonafidely appear in all the cases, which are pending between the parties.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

