

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42136 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- MIRGANJ District- Gopalganj

Satendra Baitha @ Satendar Baitha @ Sateyendra Baitha Son of Late Budhai
Baitha @ Buchhai Baitha R/O Vill.- Imlauli, P.S.- Mairwa, Dist.- Siwan
... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Nibha Kumari W/O Satendra Baitha @ Satendar Baitha @ Sateyendra
Baitha D/O Jatan Baitha R/O Kalopatti, P.S.- Mirganj, Dist.- Gopalganj
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajiv Kumar, Adv.
For the State	:	Mr. Sanjay Kumar Singh, APP.
For the Informant	:	Mr. Bijay Prakash Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 15-05-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 498(A),
354(B), 379, 504, 506, 34 of the Indian Penal Code and Section
3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of informant, is said to have
tortured upon her physically and mentally in association of his
family members over the dowry demand.

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 had made all efforts to have a peaceful conjugal life, but it was the informant who did not agree to the same. It is also pointed out that it is the forth case filed by the informant under Section 498A and this fact would also be evident from para 5 of this petition, out of which in one case, the petitioner was made an accused while in other two cases, his family members have been made accused with false allegations. 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 as well as learned counsel appearing for the informant, however, opposes the prayer for anticipatory bail supporting the allegations levelled against the petitioner.

7. At this stage, learned counsel for the petitioner makes an offer that he would make the payment of Rs.3500.00/- (Rupees Three Thousand Five Hundred) per month to the informant in the second week of every month to which learned counsel for the informant agrees.

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 Mirganj P.S. Case No. 326 of 2023, 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 informant is directed to furnish the bank account details of the informant in the learned Court below. If the informant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the informant 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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