

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44011 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- SIMRI District- Buxar

Brajesh Mishra @ Brajesh Kumar Mishra son of Sri Krishna Bihari Mishra
Village- Parsauna Ps- Shahpur Karamapur OP Dist- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari D/o- Suryabansh Pathak W/o- Brajesh Mishra @ Brajesh Kumar Mishra Village- Niyazipur Ps- simari Dist- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv
For the State : Mr. Arun Kumar, APP
For the O.P.No.2 Mr. Kamlesh Kumar Pathak, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 10-04-2025 Heard learned counsel for the petitioner, the State and the O.P.No.2.

2. Petitioner apprehends his arrest in connection with Simri P.S. Case No. 95 of 2024 registered for the offences punishable under Sections 341, 323, 504, 506, 498A/34 of the Indian Penal Code and section 3/4 Dowry Prohibition Act.

3. Earlier notices have been issued to the Opposite Party no. 2 and the matter was sent to the Mediation Center. However, it appears from the mediation report that the same has failed.

4. The petitioner is the husband of the informant and he has made categorical statement in paragraph -7 that he is



ready to keep his wife with full honour and dignity. It is submitted by the learned counsel for the petitioner that the allegation of demand of dowry and torture as stated in the FIR is not true.

5. At this stage the petitioner offers to give Rs. 2500 (Rupees Twenty Five Hundred) per month to opposite party no. 2 in the first week of every month it goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

6. Considering the facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Buxar in Simri P.S. Case No. 95 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of the B.N.S.S, 2023. However, if the O.P. no.2 furnishes the bank account in which the amount can be transferred and yet the petitioner fails to give the aforesaid amount on two consecutive



dates to O.P no.2, the O.P No. 2 would be at liberty to file
cancellation of bail.

(Soni Shrivastava, J)

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