

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47030 of 2025

Arising Out of PS. Case No.-670 Year-2024 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

Om Prakash @ Chhotu Son of Late Ravindra Prasad Resident of Village-
Visenikhurd, P.O-Kharari, P.S-Nokha, District-Rohtas Bihar, 802215

... .. Petitioner/s

Versus

1. The State of Bihar
2. Radha Kumari Wife of Om Prakash @Chhotu Resident of Village-
Visenikhurd, P.O-Kharari, P.S-Nokha, District-Rohtas Bihar, 802215

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ankit Rgriyaghay, Adv., Mr. Harshit Griyaghey, Adv.
For the State	:	Mr. Bharat Lal, APP
For the O.P.No. 2	:	Mr. Raju Kumar Singh, Adv., Ms. Drishti Mohan, Adv.

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 17-10-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Complaint. Case No. 670 of 2024, registered under Section
498A of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

3. The prosecution case, in brief, is that the
Complainant has stated in her SA that on 06.06.2023, her
marriage was solemnized with accused Om Prakash as per
Hindu rites and custom, wherein her parents have spent fifteen
lakhs on her wedding including the wedding gifts. She lived
happily at her matrimonial home for few days, thereafter the



accused started harassing and torturing for demand of dowry of Rupees five lakhs and a bullet bike. Many attempts were made to settle the issue amicably in Panchayat, but the accused again tortured her and left her at her Maayka. Since she has been residing at her Mayka(Parent's House).

4. It is submitted by the learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in this case due to ulterior reason. The complainant wife has always avoided and neglected the society and the family of the petitioner and by exaggerating the facts the instant complaint case has been registered, while the fact is that there is no demand of dowry and cruelty. Learned counsel next submits that within five days of marriage the complainant left the matrimonial house with her own brother and thereafter she intermittently came to the matrimonial house and had been threatening the family members. Mediation which was conducted by the court below but could not fructify because of her ill behaviour.

5. At this stage, learned counsel for the petitioner submits that in order to maintain the well being of his wife, the petitioner is ready to pay Rs. 5,000/- per month and first installment shall be paid by him on 30th October, 2025 and additionally he would be paying Rs. 25,000/- in one go within a



week, for which the learned counsel for the opposite party no. 2 is directed to provide the details to this petitioner within the same time, so that the amount of Rs. 25,000/- can be transferred in her account.

6. Petitioner is directed to submit receipt of payment of Rs. 25,000/- to the opposite party no. 2 at the time of furnishing bail bond. The petitioner is further directed to appear before the court below for completing the entire formalities within a period of two weeks.

7. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

8. Considering the fact that petitioner is innocent and has falsely been implicated in this case due to ulterior reason and the petitioner is ready to pay Rs. 5,000/- per month to the O.P no. 2 and additionally he is ready to pay Rs. 25,000/- in one go for her maintenance, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the S.D.J.M., Bhojpur, Ara in connection with Complaint Case No. 670 (C) of 2024, subject to the condition as laid down under Section 438(2) of



the Cr.P.C. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) 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/their bail bond by the Trial Court itself;

(iii) the petitioner (s) 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 (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(v) the petitioner is directed to submit receipt of payment of Rs. 25,000/- to the opposite party no. 2 at the time of furnishing bail bond.

(Ajit Kumar, J)

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