

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44443 of 2024

Arising Out of PS. Case No.-645 Year-2023 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Sudarshan Kumar Son of Kapil Mahto Resident of village - Punaman, P.S.-
Bajirganj, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari Wife of Sudarshan Kumar Resident of village - Punaman,
P.S.- Bajirganj, District - Gaya. At present daughter of Shiv Prasad, Resident
of village - Lodipur (Kuwarpur), P.S.- Akbarpur, District - Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

5 05-03-2025 In pursuance to the earlier order dated 12.02.2025,

both parties appeared with their respective counsels in chamber
proceeding.

2. Heard the parties.

3. The petitioner is apprehending his arrest in
connection with Complaint Case No. 645 of 2023 for the offence
under Sections 498A of the I.P.C. and Section 4 Dowry Prohibition
Act.

4. It is a case of matrimonial dispute between the
parties. Petitioner – Sudarshan Kumar is that husband of opposite
party no. 2 – Babita Kumari. Allegation against the petitioner and
his family members is of torturing, assaulting and ousting the
complainant from her matrimonial house due to non-fulfillment of



dowry demand.

5. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. No any occurrence has ever been taken place as alleged by the complainant. No any specific allegation has been made against any of the accused persons including the petitioner for demand of dowry and torture. He further submits that petitioner is ready to keep her with full dignity and regard without any grievance.

6. Learned APP for the State opposes the prayer of anticipatory bail.

7. During course of argument learned counsel for the petitioner submits that petitioner is ready to pay Rs. 3,000/- per month as maintenance to his wife (complainant). This fact prima-facie shows the bona-fide conduct of the petitioner. The above amount of maintenance will be adjusted in any future allowances awarded by any competent Court. Two months advance i.e. Rs. 6,000/- amount will be paid at the time of filing bail bond. Petitioner is also directed to file an affidavit regarding payment of aforesaid amount.

8. Keeping in view the aforesaid facts, let the petitioner be enlarged on anticipatory bail in the event of arrest or surrender within a period of four weeks from the receipt of this



order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned S. D. J. M., Nawada in connection with Complaint Case No. 645 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

prabhakar/-

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