

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45860 of 2024

Arising Out of PS. Case No.-1063 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Deepak Kumar Son Of Late Girja Shankar @ Gija Shankar Village- Bhaisani
Tola, P.S.- Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepika Priya W/O- Deepak Kumar, D/O- Manoj Kumar R/O- Mohalla-
Lodhi Katra Harna Tola, P.S.- Khajekall, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar, Adv
For the State	:	Mr. Nand Kumar, APP
For the O.P.No2	:	Mr. Praveen Kumar, Adv

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 10-04-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and the State.

2. Petitioner apprehends his arrest in connection with
Complaint Case No. 1063© of 2021 registered for the offences
punishable under Sections 498A, 323, 504 of the Indian Penal
Code and section 3/4 Dowry Prohibition Act.

3. Cognizance has only been taken under section 498A
and section 4 of D.P. Act. The matter was earlier referred to the
Mediation Center. However, it appears from the mediation
report that the same has failed.

4. The petitioner is the husband of the opposite
party no. 2. The allegation against the petitioner is demand of



money and torture. It is submitted by the learned counsel for the petitioner that the entire allegation of demand of dowry and torture is not true. However, considering the fact that he happens to be the husband of the informant, and he is ready 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.

5. Considering the facts that he has made categorical statement in paragraph -9 that he is ready to keep his wife with full honour and dignity and has also filed matrimonial case under section 9 of the Hindu Marriage Act in Family Court, Patna as would appear in Paragraph -8 and 9 of the petition, 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 bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub- Divisional Judicial Magistrate, Patna City in Complaint Case No. 1063 (C) of 2021 subject to conditions as laid down under Section 438(2) of the Cr.P.C/



Section 482(2) of the B.N.S.S, 2023, subject to the further condition that the order passed in the maintenance case, if any, filed. 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.

6. Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no. 2 undertakes to provide her bank account details to the petitioner within a period of two weeks.

(Soni Shrivastava, J)

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