

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45034 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

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BRAJESH KUMAR @ SONU @ SONU KUMAR @ AJIT KUMAR S/O
BISHUNDEO KUMAR SHARMA R/O MOHALLA- BHOLA TOLA WARD
NO. 2, P.S AND DISTT.- LAKHISARAI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KANCHAN THAKUR W/O BRAJESH KUMAR @ SONU @ SONU KUMAR @ AJIT KUMAR D/O SHIV SHANKAR THAKUR, R/O BHOLA TOLA WARD NO. 2, P.S AND DISTT.- LAKHISARAI. AT PRESENT RESIDENT OF VILLAGE- BHANPUR, P.S AND DISTT.- LAKHISARAI.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Shambhu Sharan Singh, Advocate Mr. Rajive Ranjan Singh, Advocate
For the State	:	Mr. Ram Priya Sharan Singh, APP
For the O.P. No.2	:	Mr. Basant Kumar, Advocate Ms. Shipra Srivastava, Advocate Ms. Puja Thakur, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

8 24-06-2025 Heard learned counsel for the petitioner, learned counsel for the opposite party no.2 and learned APP for the State. The parties to the proceeding along with their counsel are present today.

2. The petitioner apprehends his arrest for the offences punishable under Sections 341, 323, 307, 379, 498A, and 506/34 of the Indian Penal Code.

3. In the F.I.R., the allegation of demand of dowry and torture has been made. The petitioner is the husband.



4. By the earlier order dated 30.04.2025, the petitioner (husband), who is staying in Nepal, was directed to take his wife with him and keep her with full honour and dignity. Today, a supplementary affidavit has been filed on behalf of the petitioner bringing on record the tickets of his travel and the whatsapp messages showing intimation of his coming to Kolkata to take opposite party no.2. Although the petitioner went to the house of his father-in-law, the opposite party no.2 refused to go along with him.

5. It is submitted by learned counsel for the petitioner that the petitioner has made all his best efforts but opposite party no.2 is not willing to continue a conjugal life along with him.

6. Learned counsel for the opposite party no.2 submitted that although the petitioner had come to Kolkata but he did not disclose the address of Nepal, the opposite party no.2 could not go along with him.

7. After interaction with the parties present before the Court, it seems that an amicable solution between them is not possible at this stage.

8. However, the petitioner offers to give Rs.5500/- (Rupees Five Thousand Five Hundred) per month to the 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 proceedings.

9. In such view of the matter, 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 bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Complaint Case No.Lakhisarai (Mahila) P.S. Case No.104 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

10. Learned counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 to the petitioner within a period of two weeks from today. If the opposite party 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 opposite party no.2, the opposite party would be at liberty to file an application for cancellation of bail bonds of the petitioner.

11. However, it is submitted on behalf of opposite party no.2 that opposite party no.2 has filed a maintenance case



in which the petitioner has not appeared till date and now having knowledge of the said case, the petitioner is directed to appear in the said maintenance case.

12. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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