

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43205 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- COMPLAINT CASE - BARH District-
Patna

=====

Mithalesh Kumar @ Mitthu S/o Late Yadu Mistri R/o vill - Gosaymadhi, P.S.-
Sheikhpura, Distt.- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Switi Kumari D/o Ramesh Mistri, W/o Mithalesh Kumar R/o vill-
Suryapura, P.S. - Athmalgola, Distt.- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 411(C) of 2024 instituted for the offence
punishable under Section 498A of the Indian Penal Code.

3. The prosecution case, in short, is that the marriage
of the petitioner was solemnized with the complainant on
07.12.2022 according to Hindu Rites. It is alleged that the
petitioner's side tortured the complainant for dowry due to
which she went back to her parental house and is living there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that the allegation of demand of dowry is totally false. It is next submitted that the petitioner is ready to keep his wife (complainant) with full dignity and honour. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on provisional bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Barh, Patna in Complaint Case No. 411(C) of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further that both the parties will appear before the concerned court on 17.11.2025 and thereafter the petitioner will take the complainant to her matrimonial house with him and keep her with full dignity and honour.

7. The petitioner will keep the wife with him in the matrimonial home with full dignity. The trial court shall keep



watch on the conduct of the petitioner as well as the complainant for a period of six months and if there is no complaint from the side of the complainant, the provisional bail of the petitioner shall be confirmed.

8. It is expected that the complainant will also co-operate with the petitioner in restoring matrimonial relationship.

9. Accordingly, the application stands disposed of.

(Khatim Reza, J)

Sankalp/-

U		T	
---	--	---	--

