

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48017 of 2024

Arising Out of PS. Case No.-609 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

Pradeep Kumar Das Son of Gopi Lal Das R/O Vill.- Lodhna, P.S.- Barsoi,
Dist.- Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kadmi Devi Wife of Pradeep Kumar R/O Vill.- Jagatpur, P.S.- Barsoi, Dist.-
Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Suresh Prasad Sah, Advocate
For the State	:	Mr. Nand Kumar, APP
For Opposite Party No.2	:	Mr. Vinay Ranjan, Advocate Mr. Prashant Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-04-2025 Heard learned counsels for the parties.

2. Earlier, the matter was referred to Mediation and Conciliation Centre, Patna High Court vide order dated 23.09.2024. From perusal of Mediator's Report dated 27.03.2025 it transpires that dispute between the parties could not be settled through the process of mediation.

3. The petitioner, husband of the complainant/Opposite Party No. 2, apprehends his arrest in a complaint case registered for the offence punishable under Sections 498A, 406, 420 and 313 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.



4. Allegation against the petitioner is of matrimonial cruelty and of demand of dowry.

5. Learned counsel appearing on behalf of the petitioner submits that the petitioner denies the allegations made in the complaint petition. He never committed torture to complainant/Opposite Party No. 2 or demanded any dowry. However, the petitioner undertakes to give Rs. 3,000/- (three thousand rupees) per month by way of temporary relief/solace, starting from this month, to the complainant/Opposite Party No. 2.

6. Learned A.P.P. for the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

7. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (three thousand rupees) per month to complainant/Opposite Party No. 2***, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st,



Katihar in connection with Complaint Case No. 609 of 2022,
subject to condition as laid down under Section 438(2) of
Cr.P.C. with further following conditions:

“(A.) Complainant/Opposite Party No. 2 would
file an affidavit before the court below and bring on
record her saving bank account number for its
communication to the petitioner.

(B.) Petitioner would deposit the aforesaid
aforesaid amount per month in the saving bank account
of the complainant/Opposite Party No. 2 .

(C.) In case, the petitioner fails to deposit the
aforesaid amount for two consecutive months, the court
below would be at liberty to cancel the bail bond.

(D.) The aforementioned payment will be subject
to any order passed in matrimonial, maintenance or
connected proceedings. The present order, in no way,
will preclude the parties to resolve the issue otherwise.”

(Prabhat Kumar Singh, J)

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