

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52710 of 2024

Arising Out of PS. Case No.-348 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Amitesh Kumar Son of Dinesh Yadav Resident of Vill- Masti Fatehpur, P.S.-
Mufassil, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Anjali Kumari Wife of Amitesh Kumar and D/O- Sikandar Yadav Resident of Vill- Masti Fatehpur, P.S.- Mufassil, District- Begusarai. At present residing at Vill- Shankarpur Bakhadda, P.S.- Matihani, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Singh
For the Informant	:	Mr. Sandip Kumar Gautam,
For the Opposite Party/s	:	Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-01-2025 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed (Report kept at flag 'M').

2. Heard learned counsel for the petitioner, the State and the opposite party no.2.

3. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Section 498A of the Indian Penal Code.

4. The prosecution case in brief is that the informant was married with the petitioner on 04.07.2021. When the



informant came to her matrimonial house, the petitioner and his family members started subjecting her to harassment and cruelty for non-fulfillment of demand of dowry. Lastly she was ousted from the matrimonial house.

5. Learned counsel for the petitioner submits that at no point of time this petitioner has demanded any dowry or committed torture. He is ready to keep the complainant with full honour and dignity. However, the petitioner is ready to give Rs. 3000/-per month to opposite party no.2 by way of temporary relief/solace, starting from this month to the opposite party no.2.

6. Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry and ousted her from matrimonial house. It is further submitted that she has no means of livelihood and is on the verge of starvation.

7. In view of the undertaking of learned counsel for the petitioner as well as condition of 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 the Judicial Magistrate 1st Class, Begusarai in connection with Complaint Case No. 348C of 2024 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) 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.

(ii) Petitioner would deposit the aforesaid interim relief per month in the saving bank account of the opposite party no.2.

(iii) In case, petitioner fails to deposit the aforesaid amount of temporary relief/solace for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(iv) 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)

Prakash/-

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