

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51989 of 2024

Arising Out of PS. Case No.-302 Year-2022 Thana- JAKKANPUR District- Patna

Rahul Kumar S/o Baleshwar Yadav Resident of Village Bigrahpur, P.O. and
P.S. - Jakkanpur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari D/o Nawal Kishore Singh R/o vill - Alipur Bihta, P.S -
Salimpur, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Tiwari
For the Opposite Party/s : Mr.Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 12-11-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Jakkanpur P.S. Case No. 302 of 2022, registered for the offences
punishable under Sections 498A/34 of the IPC and Sections 3/4 of the
D.P. Act.

3. It is a case of matrimonial dispute. The complainant
is wife of the petitioner. She alleges atrocities by her husband
and his family members for non-fulfillment of demand of dowry
and ultimately she was ousted from her matrimonial house.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in this
case. As a matter of fact, the relation between the couple was not
cordial and for that reason, both of them decided to dissolve their



marriage.

5. Accordingly, Matrimonial Case No. 1404 of 2023 was filed in the Court of the Principal Judge, Family Court, Patna under Section 13(B) of the Hindu Marriage Act, 1955. It was agreed between the parties that the petitioner shall pay Rs. 10,50,000/- to the informant. In accordance with the terms and conditions, out of which, Rs. 8,00,000/- was to be paid at the time of the first motion of the case under Section 13(B) of the Hindu Marriage Act and the remaining amount of Rs. 2,50,000/- was to be paid at the stage of examination of witnesses.

6. In accordance with the terms and conditions, the petitioner has paid Rs. 8,00,000/- and after receiving that amount, the informant started avoiding the case for dissolution of the marriage, due to which, the case has been pending since 2023. His further submission is that the evasive conduct of the informant is also reflected from the mediator's report, which shows that the informant did not appear for five successive dates.

7. On the other hand, learned counsel for the informant has opposed the prayer for bail.

8. Considering the above-mentioned facts and circumstances, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM,



Patna in connection with Jakkanpur P.S. Case No. 302 of 2022,
subject to the conditions as laid down under Section 438(2) of the
CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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