

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58940 of 2024

Arising Out of PS. Case No.-468 Year-2024 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. Prince Kumar Verma @ Prince Soni @ Prince Verma Son of Shyamsunder Ji Verma Resident of village-Sewrahi, PS-Sewrahi, Dist.-Kushinagar
 2. Manish Kumar Verma @ Manish Soni @ Manish Kumar Soni Son of Shyamsunder Ji Verma Resident of village-Sewrahi, PS-Sewrahi, Dist.-Kushinagar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudha Kumari Wife of Prince Kumar Verma, D/o- Gopaljee Prasad Resident of Village-Nehari, Post-Barhariya, Dist.-Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, A.P.P.
Mr. J.Aslam, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-03-2025 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Center 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 petitioners, the State and the opposite party no.2.

3. The petitioners, who are husband and dewar of opposite party no.2, apprehend arrest in a case registered for the offence punishable under sections 498A, 406, 427, 504, 506/34 of the Indian Penal Code and section 4 of the D.P. Act.

4. Prosecution case in brief is that opposite party no.2 was married with the petitioner no. 1 on 22.2.2023. After marriage, petitioners along with other accused persons started



demanding dowry and on non-fulfillment of the same they used to assault and torture her. Lastly, on 31.3.2023 accused persons ousted opposite party no.2 from her matrimonial house.

5. Learned counsel appearing for the petitioners, while denying the allegations, submits that the petitioners are innocent and have falsely been implicated in this case because. Petitioner no.1 is ready to keep her with honour and safety. Besides this, he is ready to give Rs. 3000/-per month to opposite party no.2 by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings.

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 accused persons subjected opposite party no.2 to harassment and cruelty for non-fulfillment of demand of dowry and also ousted her to her parents' 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 no. 1 as well as condition of opposite party no.2, in the event of arrest/surrender within a period of eight weeks from today, let both these petitioners, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Siwan in Complaint Case No. 468 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 petitioner no.1.

(ii) Petitioner no.1 would deposit the aforesaid interim relief per month in the saving bank account of the opposite party no.2.

(iii) In case, petitioner no.1 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)

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