

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55169 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- MORKAHI District- Khagaria

Ravi Ranjan Kumar Son of Kailash Singh Resident of village - Navtoliya,
P.S.- Morkahi, District – Khagaria. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Leela Devi Wife of Pawan Singh Resident of Delhi Rohini Sector 6A 1, P.S.-
Rohini Sector 7, Delhi. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh
For the Opposite Party/s : Mr.Shailendra Kumar

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 Sections 341, 323, 498A, 506 and 34 of the Indian Penal Code.

4. The petitioner is alleged to have committed torture and harassment with O.P. No. 2 for dowry. Lastly, the complainant was ousted from the matrimonial house.



5. Learned counsel for the petitioner submits that petitioner is not husband of complainant because he has never solemnized marriage with he complainant Leela Devi so there is no question arise of demand of dowry or torture to complainant. As a matter of fact the informant is aged about 34 years and has already married with on Pawan Singh resident of Rohni, New Delhi from whom she has a child aged about 16 years. 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 Chief Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case No. 12 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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