

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55923 of 2025

Arising Out of PS. Case No.-636 Year-2023 Thana- COMPLAINT CASE - BARH District-
Patna

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Kishan Kumar @ Kishan Kewat S/o- Ganesh Kewat Village- Kadrabad Ward
no.1, P.S- Bachhwara, Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari W/o- Kishan Kewat Village- Kadrabad Ps- Bachhwara Dist-
Begusarai, P/A- Goubasa Shekhpura Ps- Pandarak Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Smt. Sudha Ambastha

For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 10-12-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 636-C of 2023 for the offence
registered under sections 498-A and 323 of the Indian Penal
Code lodged on 18.08.2023 by the informant, Soni Kumari.

3. As per the prosecution story, the complainant
alleged that she got married to this petitioner in the year 2016
but was tortured for dowry regularly. She further lend him
money for the purchase of a vehicle to carry the gas cylinder as
he is working with the gas agency in Banaras. Later, her
ornaments was taken and she was thrown out. In between, she



also gave birth to a male child in the year 2018. This led to the FIR.

4. Earlier, the co-ordinate Bench sent the matter to the mediation center but the mediator's report dated 24.09.2025 shows that it failed.

5. Learned counsel for the petitioner submits that he is ready to keep his wife with full dignity and honour. Alternatively, she being legally wedded wife and there is also a child of seven years, he would like to contribute Rs. 4,000/-for the lady and Rs. 2,000 for the child (Rs. 6,000/- per month) which shall go in her bank account by 10th of every month and failure to do so she is free to take steps for cancellation of bail bond, if relief granted to him. The bank details are as follows:

Name- Soni Kumari;

Account no. 50470920155;

Bank Name- Indian Bank;

IFSC code- IDIB000G669.

6. Learned counsel for the informant opposes the prayer submitting that petitioner has solemnized second marriage which has closed the door for the lady to go to his house. She is now at the mercy of her parents, being a house wife.



7. Considering the submissions of the parties as also the fact that earlier the matter went to mediation center, failed, an undertaking has been given that he shall be diligently paying Rs. 6,000/- per month to the lady/child by 10th of every month, has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

8. However, if the petitioners fails to pay the amount to the lady by the 10th of the month, the lady is free to take steps for cancellation of bail bond.

9. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Barh, Patna in connection with Complaint Case No. 636-C of 2023, subject to the following conditions.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his bona fide.

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail



bond by the trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the court.

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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