

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58541 of 2024

Arising Out of PS. Case No.-85 Year-2022 Thana- MAHILA P.S. District- Saran

Rohit Kumar son of Narendra Singh Village- Naini Ps- Muffasil Dist- Saran
at Chapra Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumar D/o- Nirshu Narayan Singh Village- Naini Ps-Chhapara
Muffasil Dist- Chapra, P/A- Gore House Colony Chapra Ps-Bhagwan Bazar
Dist- Chapra Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vipin Kumar Singh
For the State	:	Mrs. Rina Sinha
For O.P. No. 2		Mr. Manaur Alam
		Mr. Prashant Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 19-04-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 85 of 2022 registered for the offence
punishable under Sections 498-A, 341, 323, 307, 504 of the
Indian Penal Code and Section 3 and 4 of the Dowry
Prohibition Act.

3. Petitioner is the husband of opposite party no.2. The
allegation is of demand of dowry and torture.

4. Learned counsel for the petitioner submits that the
allegations made in the First Information Report are not correct
and though the FIR had earlier been instituted under Section
307 also besides Section 498A but subsequently during course



of investigation, no charge-sheet was filed under Section 307 IPC and accordingly no cognizance was also taken under the aforesaid section. It has been further submitted by the learned counsel for the petitioner that the FIR has also been lodged after a delay and for which no explanation has been tendered. A Divorce Case No. 172 of 2021 was also filed by the petitioner which ultimately resulted in a compromise. However, it is stated that the behavior of the informant never changed and the petitioner is still ready to continue the conjugal life.

5. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no. 2.

6. It would appear from the records of the case that the matter was earlier sent to the Patna High Court Mediation and Conciliation Centre but the report of the mediation centre would show that the same had failed.

7. At this stage, the petitioner offers to give Rs.3000/- (rupees three thousand) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. In such view of the matter, let the above named



petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Saran at Chapra in connection with Mahila P.S. Case No. 85 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

9. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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