

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60050 of 2024

Arising Out of PS. Case No.-1402 Year-2023 Thana- VAISALI COMPLAINT CASE
District- Vaishali

=====

Rahul Kumar, aged about 27 years, Son of Ayodhya Prasad @ Awdhesh Prasad R/O Madarpur, P.O. Hilalpur, P.S.- Ganga Bridge, Hajipur, Dist.- Vaishali, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari, aged about 26 years, Wife of Rahul Kumar, S/o Binod Rai, R/O Vill.- Kanhauli, Mansipur, P.S.- Mahua, Dist.- Vaishali.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Sanjiv Sharan, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Tiwary, APP
For the informant	:	Mr. Pranay Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 14-05-2025 Heard Mr. Sanjiv Sharan, learned counsel appearing on behalf of the petitioner; Mr. Sanjay Kumar Tiwary learned APP for the State and Mr. Pranay Kumar, learned counsel for the informant.

2. The petitioner seeks pre-arrest bail in connection with Complaint Case No. C-1402/23 registered for the offence(s) punishable under Section 498 (A) of the IPC.

3. Allegation against the petitioner is to have assaulted the opposite party no.2 for non-fulfillment of demand of dowry.

4. Learned counsel appearing on behalf of the



petitioner submitted that mediation between the parties has failed. The petitioner has tried his best to resolve the strained matrimonial relationship but in spite of his best effort and his willingness to lead a happy matrimonial life with opposite party no.2, opposite party no.2 has not agreed to live at his house in Hajipur.

5. Mr. Pranay Kumar, learned counsel has tendered his appearance on behalf of the O.P. No.2 and submitted that O.P. No.2 is not ready to live with the petitioner as she is comfortable in New Delhi where she is in a dignified job and has good earning.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Having considered the rival submissions made on behalf of the parties and the fact which has emerged and the mediation having been failed, I find that petitioner who is still willing to live along with the O.P. No.2, has, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the 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 learned J.M.- 1 Class, Vaishali at Hazipur / Concerned Court in connection with Complaint Case No. C-1402/23, subject to the conditions as laid down under Section 438 (2) of Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

