

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59050 of 2024

Arising Out of PS. Case No.-111 Year-2015 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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Krishna Ram S/O Nand Kishore Ram Resident of Village- Kamalbigha, P.S- Ariyari, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pramila Devi D/O Sita Ram, W/O Krishna Ram R/O Vilage- Kamalbigha, P.S- Ariyari, Distt.- Sheikhpura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Adv
Mr. Rajnish Kumar, Adv
For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 23-06-2025 Heard learned counsel for the petitioner, learned counsel for the OP.No.2 and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, of the Indian Penal Code and ¾ of the D.P.Act.

3. The case is one under section 498A and the petitioner is husband. The allegation made in the complaint is with regard to demand of dowry and torture.

4. The matter was earlier sent to the Mediation Centre, Patna High Court for reaching amicable settlement but mediation process failed.

5. Learned counsel for the petitioner however submits that the allegations are not correct and as a matter of fact, the petitioner has always been ready to keep his wife with full



honour and dignity but it was OP.No.2, who was not willing to stay with the petitioner. It has further been submitted that the marriage dates back to the year 2009 A maintenance case is also pending and the petitioner is directed to appear in the said proceeding in case he has not appeared till date. Further, the amount of Rs. 4,000/- which the petitioner had to pay in terms of the earlier settlement arrived between the parties, the petitioner would be paying the said amount of Rs. 4,000/- per month.

6. Learned counsel for the OP No.2 however submits that the petitioner ousted the complainant from the house. It has also been submitted that in the maintenance case, the settlement had been arrived at between the parties for payment of Rs. 4,000/- to the complainant by the petitioner for the time being till the maintenance case reaches its conclusion. It is stated that till date the petitioner has not paid any money to the complainant. So far the arrears of payment is concerned, the OP.No.2 may take recourse to the remedy which has been provided in the settlement documents itself.

7. At this stage, the learned counsel for the petitioner is directed to pay a sum of Rs. 4,000/- per month to the OP No.2 subject to final outcome of any maintenance or collateral



proceeding.

8. Considering all the above mentioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Complaint Case No. 111 C of 2015, subject to condition as laid down under section 438(2) of the Cr.PC.

9 . Learned counsel for the O.P.No. 2 under instruction, submits that she undertakes to provide her bank account details to the petitioner within a period of two weeks from today, if the O.P.No. 2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount to OP.No. 2 or does not appear in the maintenance case before the learned court below on two consecutive dates, the O.P.No.2 would be at liberty to file cancellation of bail .

N.K/-

(Soni Shrivastava, J)

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