

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62732 of 2024

Arising Out of PS. Case No.-1524 Year-2023 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Nityanand Chaudhary @ Rupesh Son of Late Bibhash Chandra Chaudhary
Resident of village- Gajanda, P.S.- Balbadda, District- Godda, Jharkhand. At
present House No 173, Near Delhi Development Authority, Block B, Pocket
No 09, Sector 03, Rohini, Delhi-110085

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pratibha Kumari Wife of Nityanand Chaudhary @ Rupesh, D/O Shri Ravi
Nandan Mishra R/O Vill.- Chuaadi, P.S.- Dhamdaha, Dist.- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Jha, Advocate
For the O.P. No.2	:	Mr. Ajit Kumar Singh, Advocate
For the State	:	Mr. Rajendra Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 16-06-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.

2. The petitioner apprehends his arrest for the offences
punishable under Sections 498A and 323 of the Indian Penal
Code.

3. The prosecution case is based upon the complaint
petition in which allegation of demand of dowry and torture has
been made. The petitioner is the husband.

4. It is submitted by learned counsel for the petitioner



that the allegations made in the complaint are totally false. As a matter of fact, the petitioner is ready to keep the complainant/ opposite party no.2 with full honour and dignity. The matter was earlier referred to the Patna High Court Mediation Center for an amicable settlement between the parties but the mediation proceeding has failed.

5. Learned counsel for the opposite party no.2, however, makes a statement that on account of cruel behaviour that has been meted out to the opposite party no.2, she is not agreeable to stay with the petitioner.

6. At this stage, the petitioner offers to give Rs.5,000/- (Rupees Five Thousand) per month to the 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 proceedings.

7. 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 bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is



pending/successor Court in connection with Complaint Case No.1524 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. Learned counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 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 would be at liberty to file an application for cancellation of bail bonds of the petitioner.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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