

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58089 of 2023

Arising Out of PS. Case No.-1506 Year-2022 Thana- SARAN COMPLAINT CASE District-
Saran

Pintu Kumar @ Pintu Kumar Gupta @ Pintu Kumar Sah S/O- Rajeshwar
Prasad Village- Ibrahimpur Harpur Ps- Baniyapur Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari wife of Pintu Kumar Sah @ Pintu Kumar Gupta @ Pintu Kumar Village- Ibrahimpur Harpur Ps- Baniyapur Dist- saran At Present Village- Pirauta Ps- Baniyapur Dist- Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

17 29-04-2025 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 a case registered for the offence punishable under Sections 498A, 323, 341, 379 of the Indian Penal Code.

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 levelled against the petitioner in complaint are totally false and he has never indulged in any demand of dowry or torture. The petitioner has always been ready to reside with the complainant with full honour and dignity and even today when the parties have made their appearance, the petitioner has offered to take his wife along with him but the wife (opposite



party no. 2) does not agree to the same on the ground that she is not treated well by the in-laws in the house. However, it seems that she does not have much complaints from the petitioner himself as she is agreeable on staying with him in a different accommodation. Learned counsel for the petitioner also submits that two children have also been taken away by the complainant and they have been kept at the house of the parents of the complainant although the petitioner is also ready to keep his children along with him. Further, submission is that the complainant is a government teacher and probably more educated than the husband and hence, she does not wish to stay in the family of the petitioner.

5. At this stage, the petitioner offers to give Rs.2000/- (rupees two thousand) per month in the name of the children 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.

6. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no. 2 supporting the allegations made in the complaint.

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 bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M./Incharge A.C.J.M., Saran in connection with Complaint Case No. 1506 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.

8. 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.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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