

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61983 of 2024

Arising Out of PS. Case No.-397 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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RAMBABU RAY SON OF LATE AMIR RAY R/O VILL- CHANDPURWA,
P.S.-ISUAPUR, DIST.-SARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR PATNA
2. SONI KUMARI WIFE OF RAMBABU RAY, DAUGHTER OF SHAMBHU RAI R/O VILL.- CHANDKUDRIYA, P.S.- MASHRAK, DIST.- SARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Adv. Mr. Noumaan Ahmad, Adv.
For the State	:	Mr. Shantanu Kumar, APP
For the Complainant	:	Mr. Kislay Raj, Adv. Mr. Vikash Kumar Singh, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 24-06-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The instant case arises out of the complaint filed by the opposite party no.2, wife of the petitioner, alleging therein that there was demand of Rs. 2 lacs and the consequent torture upon her.

4. The matter had earlier been referred to the Mediation Centre, Patna High Court for resolving the dispute between the



parties. The report received from the Mediation Centre, however, discloses that the said mediation between the parties failed.

5. Learned counsel for the petitioner submits that the allegations made in the complaint are not correct and as a matter of fact, as stated specifically in paragraph 11 of the petition, the petitioner is still ready to keep the complainant with full dignity and honour, but it is the complainant who does not want to continue with the conjugal relationship. It is further submitted that the marriage took place in the year 2018 and the complainant is staying away from the petitioner from past four years.

6. Learned APP for the State and learned counsel appearing for the complainant, however, support the allegations made in the complaint petition and also submit that there are two children out of the wedlock.

7. At this stage, learned counsel for the petitioner makes an offer that the petitioner would make the payment of Rs.5000.00/- (Rupees Five Thousand) per month to the complainant in the second week of every month.

8. Considering the facts and circumstances of the case, 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 Court below where the case is pending/successor Court in connection with Complaint Case No. 397 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

10. Learned counsel for the complainant is directed to furnish the bank account details of the complainant in the learned Court below. If the complainant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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