

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61414 of 2024

Arising Out of PS. Case No.-1087 Year-2022 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Kamal Kumar @ Kamal Chaudhary S/o- Vimal Chaudhary @ Bimal Chaudhary Village- Mahuaaw PO PS-Kaler District- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi Wife of Kamal Kumar Village- Mahuaaw PO PS-Kaler District- Arwal/ R/o- Bailaiw Po Ps- Kaler Arwal

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rupa Kumari, Adv
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 16-06-2025 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 379, 323, 504/34, of the Indian Penal Code.

3. The case is one under section 498A and the petitioner is a husband. The complaint discloses general and omnibus allegation of demand of dowry and torture.

4. Learned counsel for the petitioner however submits that the allegations are not correct. Earlier. the matter had been referred to the Mediation Center but on account of non-



appearance of the parties, the mediation process failed. The allegation made in the complaint petition are false and as a matter of fact, the opposite party no. 2 had left the petitioner and had got married to another persons namely, Chandan Kumar Choudhary. It has also been submitted that an agreement for divorce had also been signed between the parties on 08.03.2022 wherein the opposite party no. 2 had stated that she would not be claiming any maintenance or filing any case against the petitioner. It is further submitted by opposite party no. 2 that such agreements has been prepared on account of some pressure upon the opposite party no.2 and it is also been submitted that the petitioner has also married again.

5. At this stage, the learned counsel for the petitioner makes an offer to pay a sum of Rs. 3000/- per month to the opposite party no. 2 subject to final outcome of any maintenance proceeding.

7. 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.1087 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

8. 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 on two consecutive dates to O.P.No.2, the O.P.No.2 would be at liberty to file cancellation of bail .

(Soni Shrivastava, J)

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