

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65902 of 2024

Arising Out of PS. Case No.-321 Year-2023 Thana- MIRGANJ District- Gopalganj

Aryan Kumar @ Aryan Kumar Bhakta Son of Nand Kumar Bhakta At Presnet Resident of House of 3509, Gali No.- 2, Ghai Market Mundian Kalan Ludhiana, Permanent Address Resident of Village - Sahthu, Police Station - Aandar, District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Malti Singh Wife of Dr. Shrinath Prasad At Presnet - Hathua Mod, Meerganj, Ward No.- 04, Meerganj Nagar Parishad, Police Station - Meerganj, District - Gopalganj.
3. Priti Kriti Wife of Aryan Kumar Daughter of Dr. Shri Nath Prasad, At Presnet Resident of - Hathua Mod Meerganj, Ward No.- 04, Meerganj, Nagar Parishad, Police Station - Meerganj, District - Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Tiwari
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 13-05-2025 The petitioner and the opposite party no. 3 are present along with their respective counsels. After a brief interaction, it appears that the matter cannot be resolved finally at this stage.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 504, 498A, 34 of the Indian Penal Code and Section 3/ 4 of the Dowry Prohibition Act.

3. By an earlier order, the matter had been sent to the Patna High Court Mediation and Conciliation Centre for



resolution of disputes between the parties but the same has also failed.

4. The prosecution case is based upon an FIR lodged by the opposite party no.3 in which she has made an allegation of demand of dowry and torture. Petitioner is the husband of opposite party no.3.

5. Learned counsel for the petitioner submits that the allegations levelled in the FIR are not correct and as a matter of fact, the petitioner has always been ready to keep the opposite party no.3 with full dignity and honour and he has also filed a case under Section 9 of the Hindu Marriage Act before the Principal Judge, Ludhiyana for restitution of conjugal life and the same is annexed as Annexure-P/2 to the present application.

6. It has been submitted on behalf of the opposite party no. 3 that the allegations in the FIR are correct and as a matter of fact, the petitioner has not made any efforts to meet his wife or his daughter for the past seven years and has also not paid anything for their sustenance/maintenance. It has also been stated that the maintenance case has also been filed by the opposite party no. 3 in which the petitioner has not yet appeared.

7. At this stage, the learned counsel for the petitioner



makes an offer in presence of the petitioner that the petitioner is ready to pay an amount of Rs.10,000/- (rupees ten thousand) per month for a period of six months from today in the first week of every month and thereafter, he would be paying an amount of Rs. 6000/- per month to opposite party no.3. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. 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 court below where the case is pending/successor court in connection with Meerganj P.S. Case No. 321 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

9. Learned counsel for the opposite party no.3, under instruction, submits that the opposite party no.3 undertakes to provide her bank account details to the petitioner within a



period of two weeks from today. If the opposite party no.3 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.3, the opposite party no.3 would be at liberty to file cancellation of bail.

10. It is also expected that the petitioner would appear in the maintenance case filed by the opposite party no. 3 which is maintenance case No. 14 of 2024 pending before the learned Family Court, Gopalganj. It is also expected of the opposite party no. 3 that if the petitioner wants to meet his daughter, she should be allowing him to meet her although at a place of her choice.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

