

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63161 of 2024

Arising Out of PS. Case No.-1498 Year-2023 Thana- COMPLAINT CASE District- Araria

Mukesh Yadav @ Mukesh Kumar Yadav Son of Bindeshwari Yadav Village
-Barahara, Ward No. 12, PO- Barahara, PS- Narapatganj, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari @ Kajal Kumari Devi Wife of Mukesh Yadav @ Mukesh Kumar Yadav Village -Barahara, Ward No. 12, PO- Barahara, PS- Narapatganj, District- Araria P/A- Residing at Village- Maura Jharkaha, Ward no. 05, Po- Chaurha Jharkaha, Ps- Shankarpur, dist- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Ravish, Adv
For the State	:	Mr.Binod Kumar, App
For the O.P	:	Mr. Arvind Kumar, Adv

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 13-05-2025 Heard learned counsel for the petitioner, learned
APP for the state and learned counsel for the O.P.No.2.

2. Petitioner apprehends his arrest in connection with
Complaint Case No.1498 of 2023 registered for the offences
punishable under sections 323, 325, 498A, of the Indian Penal
Code.

3. The prosecution case is based upon a complaint
wherein the allegation of demand of dowry and torture has been
made.

4. Learned counsel for the petitioner submits that the
allegation made in the complaint is not correct and the petitioner
has never demanded any dowry and has never treated his wife



with cruelty. The petitioner is still ready to revive his matrimonial relation with the complainant and he undertakes to keep her with full honour and dignity. The petitioner had filed Matrimonial suit no. 61 of 2024 for restitution of conjugal right under section 9 of the Hindu Marriage Act.

5. The learned APP for the State and learned counsel for the O.P.No. 2 oppose the prayer for bail.

6. At this stage, the learned counsel for the petitioner makes an offer to pay a sum of Rs. 3000/- per month to the complainant subject to final outcome of any maintenance or collateral 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 Judicial Magistrate, 1st class, Araria in Complaint Case No. 1498 of 2023, subject to condition as laid down under section 438(2) of the Cr.PC 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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