

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63111 of 2023

Arising Out of PS. Case No.-59 Year-2022 Thana- MAHILA P.S. District- Madhepura

Praween Kumar Son Of Shri Ramphal Prasad @ Ramphal Prasad Village-
Sahugarh Tola Bhagwanpur (DIWANI Tola) Ward No 10, Ps- Madhepura,
Dist- Madhepura

... .. Petitioner

Versus

1. The State Of Bihar
2. Khushbu Kumar Wife Of Praween Kumar, D/O Virendra Kumar Village-
Sahugarh Tola Bhagwanpur (DIWANI Tola) Ward No 10, Ps- Madhepura,
Dist- Madhepura, Presently Resident Of Mayke- Azad Nagar, Ward No. 09,
Ps- Madhepura, Dist- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Pawan Kumar, Advocate
For the Opposite Party/s :	Mr.Ajay Kumar No. 2, A.P.P. Dr.SK Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-04-2025 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. The petitioner, who is husband of opposite party
no.2, apprehends arrest in a case registered for the offence
punishable under sections 341, 323, 504, 506, 498A, 379/34 of
the Indian Penal Code and sections 3/4 of the D.P. Act.

3. Prosecution case in brief is that opposite party no.2
was married with the petitioner in 2021. After marriage, this
petitioner along with other accused persons started demanding
dowry of the Rs. 6 lacs and a car and on non-fulfillment of the
same they used to assault and torture her.

4. Learned counsel appearing for the petitioner, while
denying the allegations, submits that the petitioner is innocent
and has falsely been implicated in this case because he happens
to be husband of opposite party no.2. Petitioner is ready to keep



her with honour and safety. Besides this, petitioner is ready to give Rs. 3000/-per month to opposite party no.2 by way of temporary relief/solace, starting from this month, subject to any order passed in matrimonial, maintenance or connected proceedings.

5. Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner, being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry. It is further submitted that she has no means of livelihood and is on the verge of starvation.

6. In view of the undertaking of learned counsel for the petitioner as well as condition of opposite party no.2, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Madhepura in Madhepura Mahila Police Station Case No. 59 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) Opposite party no.2. would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid interim relief per month in the saving bank account of the opposite party no.2.

(iii) In case, petitioner fails to deposit the aforesaid amount of temporary relief/solace for two consecutive months,



the court below would be at liberty to cancel the bail-bond.

(iv) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

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