

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66750 of 2024

Arising Out of PS. Case No.-108 Year-2023 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

Kumar Mukesh Son of Mr. Suresh Sharma R/O- Village- Ejni, P.S.-
Khodabandpur (Chhaurahi O.P.), Distt.- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Kumari Wife of Mr. Kumar Mukesh R/O- Village- ejni Ward No. 14,
P.S.- Chhaurahi O.P., Khodawandpur, Distt.- Begusarai, at present r/o-
Bashi, P.S.- Cheriabariyarpur, Distt.- Begusarai

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Ms. Vaishnavi Singh, Adv.
For the State	:	Mr. Kanhiya Kishor, APP.
For the Complainant	:	Mr. Onkar Nath, Adv.

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 09-05-2025 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 Sections 498(A),
323, 504, 506 of the Indian Penal Code.

3. Petitioner, who is husband of complainant, is said to
have tortured upon her physically and mentally and ousted her
from the matrimonial house in association of his family
members over the dowry demand.

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



parties, however, the disputes could not be resolved and the mediation process had failed.

5. Learned counsel for the petitioner submits that the allegations levelled in the complaint are not correct and as a matter of fact, the relationship between the petitioner and the complainant became estranged due to very trivial reasons and on account of the same, the complainant has actually deserted the petitioner. In any view of the matter, learned counsel for the petitioner draws the attention of the Court to the fact that a maintenance proceeding was also going on between the parties bearing Maintenance Case No. 229/2023 in the Court of Principal Judge, Family Court, Begusarai and vide order dated 17.02.2025, the petitioner has been directed to pay an amount of Rs. 4,000/- (Rupees Four Thousand) per month by 10th of every month as interim maintenance to the complainant. It is further submitted that the petitioner has already started depositing the same in the account of the complainant.

6. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail.

7. 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 Complaint Case No. 108c of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C and the further condition that the petitioner would continue to pay the amount of Rs. 4,000/- (Rupees Four Thousand) to the complainant as awarded in the maintenance proceedings until the said order is either set aside or a stay is granted in the matter. However, if it would appear that in absence of any order of stay or setting aside, the petitioner fails to make the payment of Rs. 4,000/- (Rupees Four Thousand) on two consecutive months, the complainant shall be at liberty to move before the learned Court below for cancelling the bail bonds of the petitioner.

8. Accordingly, the application stands disposed of.

(Soni Shrivastava, J)

divyanshi/-

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

