

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61016 of 2025

Arising Out of PS. Case No.-1340 Year-2024 Thana- SARAN COMPLAINT CASE District-
Saran

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Shiv Kumar Rai @ Shiv Kumar Yadav Son of Laxmi Rai R/o Village -
Dholrahi Abhiman, Police station - Amnour, District - Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Preeti Wife of Shiv Kumar Rai @ Shiv Kumar Yadav R/o Village -
Sikty, P.S. - Parsa, Dist. - Saran(Chapra).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 1340 of 2024 registered for the offence under Sections 498(A) and 34 of the Indian Penal Code, lodged by the complainant Kumari Preeti.

3. As per the prosecution story, the complainant alleged that she got married to the petitioner in the year 2021 but was always tortured for dowry. Finally, she has exit from that house and is with her parents.

4. Earlier, notice was issued to the opposite party no.2, as per the report Kumari Preeti has personally received the notice on 08.11.203 but there is no appearance on her behalf.



5. On instruction, learned counsel for the petitioner submits that still she is the legally wedded wife, on his own the petitioner wants to contribute Rs.6,000/- per month by 10th of every month in her bank account and failure to do so, the opposite party no.2 can take steps for cancellation of his bail bond.

6. Learned APP opposes the prayer submitting that the petitioner tortured her for dowry, forcing her to exit his house.

7. Taking into account the aforesaid facts, though the allegation against the petitioner is there, the notice was issued to the opposite part no.2, after receiving the notice she chose not to show her presence, F.I.R. is there, the petitioner shall be facing the music, and an undertaking has been give that he shall be paying the aforesaid amount Rs.6,000/- to the lady per month by 10th of every month in her bank account, failure to do so the opposite party no.2 can take steps for cancellation of his bail bond, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, Second Class, Chapra, Saran, in connection with Complaint Case No. 1340 of 2024 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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