

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66396 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- MATIYARIA District- West Champaran

Aadesh Prasad Son of Surendra Prasad Village- Sherwa Masjidwa Ps-
Matiyariya Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari wife of Aadesh Prasad Village- Sherwa Masjid Ps- Matiyariya
Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 13-05-2025 The petitioner and the opposite party no. 2 is present
along with their respective counsels.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 494, 498A, 379 of the Indian Penal Code.

3. By 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 failed.

4. The prosecution case is based upon an FIR lodged by the opposite party no. 2 in which she has made an allegation of demand of dowry and torture. Petitioner is the husband of opposite party no.2.



5. After a brief interaction, it appears that the matter cannot be resolved finally at this stage.

6. Learned counsel for the petitioner submits that the marriage dates back to the year 2016. However, there is no child out of the wedlock and this became the issue due to which the relations between the petitioner and his wife began strained.

7. Learned counsel for the opposite party no. 2, however, submits that the allegations levelled in the FIR are true and the petitioner does not keep his wife along with him with due dignity and honour. It is an admitted fact that the opposite party no. 2 is staying in a portion of the house of the petitioner and it is stated by the petitioner that till today he takes care of her expenses.

8. At this stage, the petitioner offers to give Rs.3000/- (rupees three thousand) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

9. 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 Matiyariya P.S. Case No. 13 of 2024, 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.

10. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party 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 opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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