

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74125 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- LAKHNAUR District- Madhubani

Mahakant Kumar Son of Amiri Lal Yadav R/o Village- Kiratpur P.S-Jamalpur,
District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Bharti D/O- Mahakant Kumar Resident of Vill- Belhi, P.S.- Lakhnaur,
District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha
For the State	:	Mrs. Pronoti Singh
For the Informant	:	Mrs. Madhubala Verma

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 498A, 494, 341, 323, 313, 354(B), 379, 504, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The prosecution case is based upon an FIR filed 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.

4. Learned counsel for the petitioner submits that the allegations levelled in the FIR are not correct and as a matter of



fact, the opposite party no. 2 herself is not ready to reside in the matrimonial house. Thereafter, the petitioner filed a divorce case vide Matrimonial Case No. 191 of 2022 against the informant/O.P. No. 2 before the learned Principal Judge, Family Court, Darbhanga.

5. Learned counsel for the opposite party no. 2, however, controverts the submissions made by the learned counsel for the petitioner and rather supports the allegations made in the FIR.

6. At this stage, the petitioner offers to give Rs.4000/- (rupees four 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.

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 Lakhnour



P.S. Case No. 03 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.

8. 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.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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