

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74525 of 2024

Arising Out of PS. Case No.-582 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Surya Kant Gupta @ Kumar Suryakant S/O Pramod Gupta @ Pramod Kumar
Gupta R/O Village- Sikta Bazar, P.S- Sikta, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Gupta W/O Surya Kant Gupta @ Kumar Suryakant R/O Village- Sikta
Bazar, P.S- Sikta, Distt. - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Adv.
For the State	:	Mr. Binod Kumar, APP.
For the Complainant	:	Mr. Sanjeev Kumar, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 05-05-2025 Learned counsel for the complainant has appeared along with the complainant and the petitioner is represented through his counsel, however, he has not himself personally appeared in the Chambers proceeding.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act and he is husband of the complainant.

3. The instant case arises out of the complaint filed by the opposite party no.2 (complainant), wife of the petitioner, alleging therein that there was demand of Rs. 6 lacs and Bolero vehicle as dowry and the consequent torture upon her.



4. Learned counsel for the petitioner submits that after investigation, the police has submitted final form in favour of the petitioner and his family members. However, the informant had filed a protest petition which was treated as a complaint and cognizance was taken thereupon. It is further submitted that all the allegations levelled against the petitioner are not correct. He has neither made any dowry demand nor tormented the complainant over the demand of dowry.

5. Learned counsel appearing for the complainant brings this fact to the notice of the Court that two cases were filed on behalf of the complainant; one for granting maintenance under Section 125 Cr.P.C. and the other under the Domestic Violence Act. The petitioner has been directed to make a payment of Rs. 3,000/- under the maintenance case bearing Maintenance Case No. 47 of 2022 pending before the Principal Judge, Family Court, Bettiah and an amount of Rs. 5,000/- under the Domestic Violence Act case which is pending before the Judicial Magistrate-1st Class, Bettiah. It has been admitted by learned counsel appearing for the complainant that while the maintenance amount of Rs. 3,000/- is being paid with regard to the maintenance case, but the amount of Rs. 5,000/- awarded under the Domestic Violence Act case is not being paid by the



petitioner. It is expected that the petitioner would also pay the amount of Rs. 5,000/- which is fixed by the learned Court below under the Domestic Violence Act case. It is, however, clarified that these payments would be subject to the final outcome of the cases in which such payments have been awarded.

6. Taking into consideration the fact that the petitioner is at least paying an amount of Rs. 3,000/- which has been fixed by the learned Family Court, Bettiah, 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 six 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. 582(C) of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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