

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66950 of 2024

Arising Out of PS. Case No.-385 Year-2023 Thana- DAUDNAGAR District- Aurangabad

Jay Prakash S/O Upendra Singh R/O Indra Aasan 530 B Block, P.S.- Sonari,
District- Jamshedpur, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pallavi Kumari D/O Satyendra Singh R/O Village- Dudhan Bigha, P.S- Daud Nagar, Distt.- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Choudhary, Adv.
For the State	:	Mr. Abhay Kumar, APP.
For the Informant	:	Mr. Ashok Kumar Singh, Adv. Mr. Abhishek Kumar Singh, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 14-05-2025 The petitioner and the informant are present along with their respective counsels in the Chambers proceedings.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. However, cognizance has been taken under Sections 341, 323, 498A, 504, 506, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

4. The matter had been referred earlier to the Mediation



and Conciliation Centre, Patna High Court for resolution of the disputes between the parties, but the mediation process failed.

5. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are not correct and as a matter of fact, the petitioner has always been ready to keep her with due dignity and honour, but it is the informant who is not desirous of staying in her matrimonial house with the petitioner.

6. Learned counsel appearing for the informant along with the informant herself controverts the submissions made on behalf of the petitioner supporting the allegations levelled against him. It is pointed out by learned counsel for the informant that an award of maintenance has also been passed against the petitioner which, however, is a subject matter of challenge in a criminal revision application.

7. After a brief interaction with the parties, it appears that final resolution of disputes between them is not possible at this stage. However, learned counsel for the petitioner in the presence of the petitioner himself makes an offer that he would make the payment of Rs. 9000.00/- (Rupees Nine Thousand) per month to the informant in the second week of every month to which learned counsel for the informant and the informant



herself agrees.

8. Considering the facts and circumstances of the case, 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 Daudnagar P.S. Case No. 385 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

10. Learned counsel for the informant is directed to furnish the bank account details of the informant in the learned Court below. If the informant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the informant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.



11. It is made clear that this Court is not going into the merits of the maintenance case and the same would be a separate proceeding which would be decided in due course of time in accordance with law. It is only clarified that whatever amount the petitioner has agreed to pay at this stage would be adjusted in the total maintenance amount which he is liable to.

12. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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