

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66780 of 2024

Arising Out of PS. Case No.-456 Year-2023 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

Narayan Singh S/o Late Jayram Singh R/o Vill- Bhagadhwa, P.S. -
Majhauriya, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Devi W/o Narayan Singh R/o vill - Bhagwadhwa, P.S. -
Majhauriya, Distt. - West Champaran, at present R/o Bagahi Sakhuani, P.S.
- Govardhana, O.P., Dumari, Distt. - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 24-06-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 323, 341 and 504/34 of the Indian Penal Code.

3. The allegation in the Complaint is that of demand of dowry and torture. Vide earlier order dated 07.04.2025, the matter was sent to the Patna High Court, Mediation Center for reaching an amicable settlement between the parties but the process of mediation has failed.

4. Learned counsel for the petitioner submits that the allegations made in the complaint are not correct and as a matter of fact, the petitioner had always been ready to keep his wife with due dignity and honor and for this purpose, he had filed



for restitution of conjugal rights pending adjudication before the Principal Judge, Family Court, West Champaran, Bettiah. It has also been submitted that during the entire process of mediation, the O.P. No.2 did not appear even once to show her *bona fide* or that even she was interested in some kind of conciliation and an amicable settlement of the dispute. Learned counsel for the petitioner has also submitted that there is serious apprehension that the O.P. No.2 has re-married.

5. Learned counsel appearing for the O.P. No.2, however, supports the allegations made in the F.I.R. and also states that she is apprehensive of going back to the matrimonial household as she was treated with cruelty.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 2000/- to his wife in the second week of every month for her basic requirements. 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 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 Additional Chief



Judicial Magistrate, Bagaha, West Champaran, in connection with Complaint Case No.456 of 2023 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. If the O.P. 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 O.P. No.2 would be at liberty to file cancellation of bail.

9. However, if at any point of time, the petitioner is able to produce any concrete and substantial evidence with regard to the fact that the O.P. No.2 has re-married, the learned Court below would consider the fact that the payment of the amount of Rs.2000 per month would be stopped.

(Soni Shrivastava, J)

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