

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66915 of 2024**

Arising Out of PS. Case No.-392 Year-2023 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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Chandan Prasad, Age-34 Yrs. S/o Jageshwar Prasad, R/O Raghunathpur, Near  
NagarPanchayat Bhawan, Old, Registry Office, P.S-Barsol, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv  
For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

5      07-05-2025                      The petitioner and Opposite party no. 2 are present  
with their counsels.

2. Petitioner is apprehending his arrest in a case  
registered for the offences punishable under sections 498A, 341,  
323, 504/34 of the Indian Penal Code and section 3/4 of the  
D.P.Act.

3. The matter had earlier been sent to the Mediation  
Center for resolution of disputes but the same had failed. The  
case is one under section 498A and the petitioner is husband.

4. Upon a brief interaction between the parties and their  
counsels. It appears that full and final settlement between the  
parties will be not possible at this stage.

5. Learned counsel for the petitioner submits that the



present complaint case under section 498A is a second round of litigation on behalf of complainant as she had earlier also filed an FIR making allegations of demand of dowry and torture. In the earlier case, there was an order of co-ordinate Bench of this Court dated 05.04.2023 passed in Cr. Misc. No. 75156 of 2022 that an amount of Rs. 5,000/- was to be paid to opposite party no. 2 by the petitioner in the first week of every month in case, and if the said payment would not be made in two consecutive months, his bail bond would be cancelled. It has been stated that in pursuance of such order, the said payment of Rs. 5,000/- is being made regularly by the petitioner.

5. The learned counsel for the O.P.No. 2 states that the said payment of Rs. 5,000/- is not being made regularly and she also has a child to be looked after. It is expected that the petitioner would be paying an amount of Rs. 5,000/- as fixed by this Court regularly to the opposite party no. 2. Considering that a negotiation for settlement is going on between the parties in the Maintenance Case, it would also be expected that the petitioner would make himself available before the learned family court so that the final settlement is reached between the parties.

6. Taking into consideration the fact that this is a second



round of litigation in the form of 498A and there is already an order of payment of Rs. 5,000/- per month, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (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. 392 of 2023, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

**(Soni Shrivastava, J)**

N.K/-

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