

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66873 of 2024

Arising Out of PS. Case No.-683 Year-2023 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Krishna Mohan Kumar Roy @ Krishna Mohan Roy S/o- Ram Naresh Roy
Resident of Village- Dasaut, PS- Hathauri Shivjinagar District- Samastipur
 2. Prema Devi wife of Ram Naresh Roy Resident of Village- Dasaut, PS-
Hathauri Shivjinagar District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari Wife of Krishna Mohan Kumar Roy, D/o- Surendra Kumar
Mishra Village- Surauli W.No-5, Ps- Bibhutipur Dist- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

5 13-05-2025 Petitioners and opposite party no. 2 are present along
with their respective counsels.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable under Sections 323, 379,
498A and 504 of the Indian Penal Code.

3. By earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties but the same has
failed.

4. The prosecution case is based upon a complaint filed
by the opposite party no. 2 in which she has made an allegation
of demand of dowry and torture.



5. After a brief interaction, it appears that the matter cannot be resolved finally at this stage.

6. Learned counsel for the petitioners submits that the allegations levelled in the complaint are not correct and as a matter of fact, the petitioner no. 1 is still ready to keep the opposite party no. 2 along with the child with full honour and dignity but it is the opposite party no. 2 who is not desirous of continuing with the matrimonial relationship.

7. Learned counsel for the opposite party no. 2, however, supports the allegations made in the complaint.

8. At this stage, the petitioner no. 1 offers to give Rs.3000/- (rupees three 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.

9. In such view of the matter, let the above named petitioners, be released on bail, in the event of their 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) each 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. 683 of 2023, 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.

10. 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 no. 1 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.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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