

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70371 of 2024

Arising Out of PS. Case No.-499 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Visheshwar Nath Yadav Son of Vikrama Yadav Resident of Village-Chakki
Lahna (Bhola Dera Ward No. 1), P.S.- Brahampur (Chakki O.P.), Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shobha Devi Wife of Visheshwar Nath Yadav, D/O- Lal Mohar Yadav
Resident of Kulharian, P.S.- Buxar (M), Distt.- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Aditya Nath Pandey, Advocate
For the Opposite Party/s	:	Mrs.Rita Verma, APP
For the complainant	:	Mr. Ravi Shankar Pathak, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 07-05-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in connection
with Complaint Case no.499 of 2022 registered under section
498A of the Indian Penal Code.

3. As per the prosecution case, the complainant states
that her husband Visheshwar Nath Yadav, the petitioner herein,
along with accused persons started to assault the informant
mentally and physically on account of non-fulfillment of
demand of dowry and also ousted her from matrimonial house.

4. Learned counsel for the petitioner submits that
earlier the matter had been sent to the Patna High Court



Mediation Center vide order dated 18.12.2024 where parties entered an agreement dated 11.04.2025 in the Mediation Proceeding No. 1952 of 2024 to reach an amicable settlement. However, learned counsel for the petitioner submits that the petitioner had taken his wife along with him and she even stayed for one night with the petitioner but she left her matrimonial home on the following day. This fact is controverted by the learned counsel appearing for the informant who states that the petitioner left the opposite party no.2 at the railway station and did not take her along with him.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.

6. It is clear that the dispute between them has not been resolved. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 3,000/- 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. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his



arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.499 of 2022 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 Judicial Magistrate-1st Class, Buxar, 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 opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 3,000/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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