

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69386 of 2024

Arising Out of PS. Case No.-614 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Pankaj Kumar Mishra Son of Jay Kumar Mishra R/o Vill.- Bansara, P.S -
Raiyam, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife of Pankaj Kumar Mishra, D/O Ranjeet Kumar Jha R/o
Vill.- Gurmaha, Pachadhi, P.S - Pandaul, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 30-04-2025 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 offence punishable under Sections 323, 379, 498A/34 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

3. Petitioner is the husband of opposite party no.2. 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.

4. Learned counsel for the petitioner submits that the allegations made against the petitioner are not correct and as a matter of fact, he has always been ready to keep his wife with



due honour and dignity and it was actually the opposite party no. 2 who was not willing to live in her sasural. This contention is, however, controverted by the learned counsel for the opposite party no. 2 who states that the opposite party no. 2 is also agreed to live with her husband. The petitioner has also filed a matrimonial case bearing Divorce Case No. 72 of 2022. A maintenance case has also been filed by the opposite party no. 2 whereby an interim maintenance of Rs. 4000/- has been directed to be granted to the opposite party no. 2. It is admitted by both the parties that the amount of Rs. 4000/- as interim maintenance is being paid by the petitioner regularly.

5. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no. 2.

6. In such view of the matter, 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 S.D.J.M., Madhubani in connection with Complaint Case No. 614 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall



cooperate in the investigation/trial.

7. However, it is expected that the petitioner would continue to pay the interim maintenance amount until there is any change of circumstance. If the petitioner fails to give the amount of Rs. 4000/- per month on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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