

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70168 of 2024

Arising Out of PS. Case No.-747 Year-2023 Thana- BIDUPUR District- Vaishali

Vikash Rai @ Vikas Kumar Son of Basudeo Rai Resident of Village- Bidupur
Dih, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munni Devi Wife of Vikash Rai @ Vikash Kumar, D/o. Ramjanm Rai
Resident of Village- Bidupur Dih, P.S.- Bidupur, District- Vaishali. Nahiyar
Address Resident of Village - Shitalpur Kmalpur, P.S. - Bidupur, District -
Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vasant Vikas, Advocate
For the Opposite Party/s	:	Dr. Kumar Uday Pratap, APP
For the O.P. No. 2	:	Mr. Rakesh Singh, Advocate

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 opposite party no.

2.

2. The petitioner apprehends his arrest in connection
with Bidupur Case no.747 of 2023 registered under sections
498A, 323, 341, 504, 506 and 34 of the Indian Penal Code and
Section 3/4 of the D.P. Act.

3. As per the prosecution case, the informant states
that her husband Vikash Rai, 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 Centre vide order dated 18.12.2024 but the mediation process has failed. Learned counsel for the petitioner further submits that the allegation of demand of dowry and torture is false and concocted. The petitioner is always ready to keep his wife with full dignity and honour but it is the informant who never wants to live with the petitioner. The petitioner has no criminal antecedent and undertakes to co-operate in case/trial.

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. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 3,500/- 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 Bidupur Case no.747 of 2023 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 Chief Judicial Magistrate, Vaishali at Hajipur, 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. 3,500/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

Harsh/-

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