

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71793 of 2023

Arising Out of PS. Case No.-185 Year-2021 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Jaychand Kumar Son Of Ramawatar Modi Resident Of Village- Madhura,
Simanpur, Ps- Ishipur, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Nibha Kumari @ Nibha Debha Devi Wife Of Jaychand Kumar
Resident Of Village- Kisti Kothi Road, Ward No. 19, Ps And Po- Khagaria,
Distt- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Md. Aslam Ansari, APP
For the O.P. No.2	:	Mr. Nitin Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

8 23-07-2025 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 Complaint Case no.185 of 2021 registered under sections
498A, 323, 341,379, 384, 312, 506 and 34 of the Indian Penal
Code and Section ¾ of the D.P. Act.

3. The case is one under 498A of the Indian Penal
Code and petitioner is the husband. The allegation against the
petitioner is of demand of dowry and torture.

4. Learned counsel for the petitioner submits that



earlier the matter had been sent to the Patna High Court Mediation Centre vide order dated 27.02.2024 but the mediation process has failed. Learned counsel for the petitioner further submits that by an earlier order dated 27.02.2024, petitioner was directed to make payment of Rs.5,000/- per month to his son which he is depositing in the account of opposite party no.2 regularly. 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 on the ground that payment of Rs. 5,000/- is not being made regular basis and in a maintenance case an interim maintenance has also been fixed. In response, learned counsel for the petitioner submits that the same is under challenge.

6. 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.185 of 2021 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



Court below, 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 in case the petitioner fails to make the aforesaid payment of Rs. 5,000/- 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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