

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74306 of 2024

Arising Out of PS. Case No.-16 Year-2023 Thana- DARIYAPUR District- Saran

Ritesh Kumar @ Ritesh Kumar Rai Son of Sri Shambhu Nath Ray Resident of Village - Rampur, Jagdishpur Kewatiya, Police Station - Dariyapur, District - Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi Wife of Ritesh Kumar @ Ritesh Kumar Ray, Daughter of Yogendra Ray Resident of Village - Alipur, Saidpur, P.S. - Sonapur, District - Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Udai Shankar Singh, Adv.
For the Opposite Party/s	:	Mr.Md. Nazir Ansari, APP
For the O.P. No.2	:	Md. Farooq, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 01-07-2025 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 Dariyapur P.S. Case no.16 of 2023 registered under sections 498A, 323, 341, 504 and 506 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. The case is one under Section 498A and petitioner is the husband. 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 14.05.2025 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 a driver and working at Kolkata. He is always ready to keep his wife with full dignity and honour but it is the opposite party no.2 who never wants to live with the petitioner. The petitioner further submits that the petitioner has filed Divorce Case No. 03 of 2023 for restitution of the conjugal life before the Principal Judge, Family Court, Saran at Chapra and the present case has been lodged as a counter blast to the same. 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. 3,000/- 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 Dariyapur P.S. Case no.16 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 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 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)

Harsh/-

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