

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73917 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- MAHILA P.S. District- Saran

Rakesh Kumar Son of Satyadev Prasad r/O-Village Bada Telpa Chauk, PS-Town, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Gupta wife of Rakesh Kumar and D/O- Ashok Kumar Gupta
Present and permanent Address- Resident of Village-Husse Chapta, P.S.-town, Distt.- Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Anil Kumar Tiwary, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP
For Opposite Party No.2	:	Mr. Madhukar Mohan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-04-2025 Heard learned counsels for the parties.

2. Earlier, the matter was referred to Mediation and Conciliation Centre, Patna High Court vide order dated 26.10.2024. From perusal of Mediator's Report dated 04.04.2025 it transpires that dispute between the parties could not be settled through the process of mediation.

3. The petitioner, husband of the informant/Opposite Party No. 2, apprehends his arrest in a case registered for the offence punishable under Sections 498A, 354, 379 and 34 of the Indian Penal Code.

4. As per prosecution case, marriage of informant was solemnized with this petitioner on 22.11.2015 and after



marriage, all the F.I.R. named accused persons, including this petitioner, started demanding dowry and due to non-fulfillment of demand of dowry, informant was subjected to cruelty and harassment.

5. Learned counsel appearing on behalf of the petitioner submits that the petitioner denies the allegations made in the F.I.R.. He never committed torture to informant/Opposite Party No. 2 or demanded any dowry. However, the petitioner undertakes to give Rs. 3,000/- (three thousand rupees) per month by way of temporary relief/solace, starting from this month, to the informant/Opposite Party No. 2.

6. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

7. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (three thousand rupees) per month to informant/Opposite Party No. 2***, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of learned S.D.J.M., Saran (Chapra) in connection with Saran (Chapra) Mahila P.S. Case No. 20 of 2024, subject to condition as laid down under Section 438(2) of Cr.P.C. with further following conditions:

“(A.) Informant/Opposite Party No. 2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(B.) Petitioner would deposit the aforesaid aforesaid amount per month in the saving bank account of the informant/Opposite Party No. 2 .

(C.) In case, the petitioner fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail bond.

(D.) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.”

(Prabhat Kumar Singh, J)

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