

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75583 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

Subhash Kumar @ Subhash Kumar Singh Son of Satyanarayan Singh
Resident of Village - Chainpura, Ward No. 10, Police Station - Jankinagar,
District – Purnea Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari Wife of Subhash Kumar Singh @ Subhash Singh, Daughter of
Sri Arun Kumar Singh Resident of Village - Chainpura, Ward No. 10, Police
Station - Jankinagar, District - Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rupesh Kumar
For the State	:	Mr.Abhay Kumar Roy
For O.P. No. 2		Ms. Kirti Mathur

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 01-07-2025 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, 420,
498A/34 of the Indian Penal Code and Section 3 and 4 of the
Dowry Prohibition Act.

3. By an earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties but the same has also
failed.

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

5. Learned counsel for the petitioner submits that the allegations levelled in the complaint are not correct and as a matter of fact, the petitioner has always been ready to keep the opposite party no.2 with full dignity and honour and was even ready to settle the issues mutually but the same could not happen and frivolous allegations of demand of dowry has been alleged against the petitioner.

6. Learned counsel for the opposite party no. 2, however, controverts the submissions made by the learned counsel for the petitioner and rather supports the allegations made in the complaint.

7. At this stage, the petitioner offers to give Rs.8000/- (rupees eight thousand) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. 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 court below where the case is pending/successor court in connection with Complaint Case No. 258(C) of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

9. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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