

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77831 of 2024

Arising Out of PS. Case No.-174 Year-2024 Thana- TAJPUR District- Samastipur

Ram Tahal Priyadarshi @ Ram Tahal Pridarshi Son of Dr. Ram Ujagar Ray
village - Kasbe Ahar Gandhi Chowk , Police Station - Tajpur , District –
Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bindu Kumari Wife of Ram Tahal Priyadarshi @ Ram Tahal Pridarshi
village- kasbe Ahar Gandhi Chowk, Ps- Tajpur, Dist- Samastipur P/A-
Rajbara, ps- Tajpur, dist- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Pratap, Adv
For the Informant	:	Mr. Bijay Bhushan Prasad, Adv
		Mr. Rani Shashi Bharti, Adv
For the State	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

9 07-07-2025 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 85, 303(2), 115(2)
and 3(5) of the B.N.S. read with ³/₄ of the Dowry Prohibition
Act.

3. As per the prosecution case, the marriage of the
informant was solemnized with the petitioner in the year 2016
and since then the in-laws’ as well as the petitioner had been
torturing her for fulfilling their demand of dowry. It is further



alleged that the petitioner and the other co-accused persons were demanding one acre of land and cash of Rs. 25,00,000/- and due to non-fulfillment of the same, the informant was ousted from her in-law's house.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case merely because he happens to be the husband of the deceased. It is next submitted that he had always been ready to reside with the O.P. No. 2, however, it was the O.P. No. 2 who was running away and was not ready to reside with the petitioner. Learned counsel has subsequently stated that earlier also the petitioner had given an undertaking to keep the O.P. No. 2 with full dignity and honor and had even taken efforts to take the O.P. No. 2 with him during the mediation, however, the O.P. No. 2 did not agree with the same. Learned counsel next submits that in pursuance to the order dated 22.01.2025, when the matter was referred to the Patna High Court Mediation & Conciliation Centre and the petitioner was released on Provisional Bail, the petitioner had been taking all efforts to amicably settle the dispute, however, it is the O.P. No. 2 who is reluctant and had caused the discord in the matrimonial life of the petitioner. Learned counsel has drawn the attention of this Court towards the rejoinder affidavit



filed by him wherein he has brought the xerox copy of the *Whatsapp* chat between the petitioner and the O.P. No. 2 and has shown that the petitioner had tried to contact O.P. No. 2 and also called her at her rented accommodation, however, she did not agree to the same.

5. Learned counsel has also brought on record a copy of the rent agreement dated 27.05.2025 to show that he had taken a rented accommodation to reside with the O.P. No. 2. It is lastly submitted that from perusal of such efforts it would be evident that the petitioner had tried his best to settle the discord between the parties, however, it was on account of the O.P. No. 2 that the same had not been settled and the petitioner has clean antecedent.

6. Learned counsel for the informant has vehemently opposed the prayer for bail and has stated that in pursuance to the order of this Court the O.P. No. 2 had agreed to go along with the petitioner, however, it was the petitioner who did not turn-up to take her along with him and despite the message of O.P. No.2, the petitioner did not come in order to take her along with him. Learned counsel has drawn the attention of this Court towards the *Sanha* dated 25.02.2025, wherein the O.P. No. 2 had reported that the petitioner and others had abused and assaulted



her in different ways. It is also submitted that despite the agreement entered between the parties, the petitioner is not adhering to the terms of the compromise and it is finally alleged that the petitioner has extra-marital affair with some girl and the O.P. No. 2 has serious apprehension of life. Learned counsel for the informant has said that in view of such conduct of the petitioner he has misused the privilege of Provisional Bail granted to him by this Court vide order dated 22.01.2025.

7. Learned A.P.P. for the State has supported the contentions and arguments raised by the learned counsel for the informant.

8. Considering the aforesaid submissions of the parties and taking into account the fact that the parties despite best efforts and several indulgence has still not come to terms and are not ready to cohabit as could be gathered from the counter affidavit and rejoinder filed, the provisional bail granted to the petitioner vide order dated 22.01.2025 in connection with Tajpur P.S. Case No. 174 of 2024, is hereby confirmed, subject to the further condition/s:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two



consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

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