

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74234 of 2024

Arising Out of PS. Case No.-331 Year-2024 Thana- GAYA KOTWALI District- Gaya

Vishal Kumar Son of Vijay Kumar Sharma RO Mohalla- Purani Jaikhana,
P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Sony Kumari Wife of Vishal Kumar RO Mohalla- Purani Jaikhana, P.S.-
Kotwali, District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Sinha, Adv.
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the Informant	:	Mr. Sanjay Kumar Sharma, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 01-07-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
498(A), 504, 506, 34 of the Indian Penal Code.

3. Petitioner, who is husband of the informant, is said to
have tortured upon her physically and mentally in association of
his family members over the dowry demand.

4. The matter had earlier been referred to the Mediation
Centre, Patna High Court for resolving the dispute between the
parties. The report received from the Mediation Centre,
however, discloses that the said mediation between the parties



failed.

5. It is submitted by learned counsel for the petitioner that the allegations made in the FIR are incorrect and as a matter of fact, the petitioner has always been ready to keep his wife with due dignity and honour, but it is the complainant who is not desirous of staying in her matrimonial house.

6. Learned APP for the State and learned counsel appearing for the informant, however, oppose the prayer for bail supporting the allegations levelled against the petitioner.

7. At this stage, learned counsel for the petitioner makes an offer that the petitioner would make the payment of Rs.7500.00/- (Rupees Seven Thousand Five Hundred) per month to the informant in the second week of every month for the sustenance of the informant and her children.

8. Considering the entire facts and circumstances of the case, 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 Kotwali P.S. Case No. 331 of 2024, subject to the condition



as laid down under Section 438 (2) of the Cr.P.C.

9. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

10. Learned counsel for the informant is directed to furnish the bank account details of the informant in the learned Court below. If the informant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the informant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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