

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78263 of 2024

Arising Out of PS. Case No.-1003 Year-2023 Thana- COMPLAINT CASE District- Supaul

Dipesh Kumar Son of Sanjay Bhagat Resident of Village - Pashupalan
Chowk, Ward No.-01, P.S. - Saharsa, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari Wife of Dipesh Kumar, Daughter of Upendra Prasad Bhagat
Resident of Village - Chhatapur, Ward No.07, P.S. -Chhatapur, District -
Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra, Advocate
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2, APP
For O.P. No.2	:	Mr. Vijay Kr. Sinha, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 25-06-2025 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 Complaint Case no.1003 of 2023 registered under sections
498A, 313, 323, 504 and 506 of the Indian Penal Code and
Section 3/4 of the D.P. Act.

3. The allegation against the petitioner is of demand
of dowry and torture. Petitioner is the husband.

4. Learned counsel for the petitioner submits that
earlier the matter had been sent to the Patna High Court
Mediation Centre vide order dated 13.05.2025 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 always ready to keep his wife with full dignity and honour but it is the complainant who never wants to live with the petitioner. The petitioner further submits that the petitioner has filed Matrimonial Case No.89 of 2023 for restitution of the conjugal life before the Principal Judge, Family Court, Saharsa 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. 4,000/- 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 Complaint Case no.1003 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. 4,000/- 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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