

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78130 of 2024

Arising Out of PS. Case No.-608 Year-2023 Thana- GAYA COMPLAINT CASE District-
Gaya

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Sonu Paswan @ Sonu Kumar Son of Arjun Paswan Resident of Village-
Paharpur, P.S. - Guraru, District - Gaya, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari Daughter of Late Sudheshwar Das Resident of Village-
Bishnuganj Sahvajpur, P.S. - Tekari, District- Gaya, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Apurv Harsh, Advocate
		Ms. Manju Tripurari, Advocate
For the Opposite Party/s :		Mr. Ramesh Chandra, APP
Fro the O.P. No.2	:	Mr. Vishwa Ranjan Choudhary, Advocate

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-07-2025 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 Gaya Complaint Case no.608 of 2023 registered under
sections 498A, 323, 324, 504, 506, 341 and 468 of the Indian
Penal Code and Section 3/4 of the D.P. Act.

3. The case is one under Section 498A of the Indian
Penal Cod and petitioner is the husband. The allegation against
him is of demand of dowry and torture.

4. Earlier the matter had been sent to the Patna High



Court Mediation Centre vide order dated 22.03.2025 but the mediation process has failed.

5. Learned counsel for the petitioner submits that the allegation of demand of dowry and torture is false and concocted. As a matter of fact the complainant/opposite party no.2 had herself admitted in the statement on solemn affirmation that there was a love marriage between them in the Court and hence, there is no question of demand of dowry etc. The matter had been sent for mediation from where the petitioner has made genuine effort to keep his wife along with him but the things could not be materialized and hence, now the position has reached that the parties are not ready to stay together as husband and wife. The petitioner undertakes to co-operate in case/trial.

6. 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.

7. 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.



8. 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 Gaya Complaint Case no.608 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.

9. 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)

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