

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78563 of 2024

Arising Out of PS. Case No.-1572 Year-2023 Thana- COMPLAINT CASE District- Araria

Mithun Kumar Bishwas S/o Milan Bishwas R/o Village- Kusiargaon
(Kusiargaon), ward No- 12. P.S.- Araria, District -Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moni Kumari W/o Mithun Kumar Biswas, D/o Kalanand Biswas Presently
resident at Vill - Madhulatta, ward no. 9, P.S. - Raniganj, Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Kanchan Jha, Advocate
For the Opposite Party/s :	Mr. Upendra Kumar, APP
	Mr. Ramesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner, learned
counsel for the O. P. No. 2 and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Complaint Case No. 1572 (c) of 2023 dated 31-07-2023
instituted for the offence punishable under Sections 498A and
506 of the IPC.

3. The prosecution case, in brief, is that complainant
was married to the petitioner in March 2022 according to Hindu
rites and rituals. After the marriage, she started residing at her
matrimonial home and commenced her conjugal life with the
petitioner. In due course, she gave birth to a son, namely Arav
Kumar, who is about five months old. Thereafter, the



complainant was subjected to physical and mental torture by the petitioner and his family members for a dowry of Rs. 5 lakh. Due to the non-fulfillment of the dowry demand, she was ousted from her matrimonial home along with her infant son.

4. Learned counsel for the petitioner submits that the petitioner is the husband of opposite party no.2 and is willing to keep her with full dignity and honour.

5. Learned counsel for the opposite party no.2 submits that she is also ready to live with the petitioner, provided she is kept with full dignity and honour.

6. Learned APP submits that, in view of the fact that the parties are ready to live together, the Court may pass an appropriate order.

7. Having considered the facts and circumstance of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within three weeks from today, the petitioner be released on provisional bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Araria, in Complaint Case No. 1572 (c) of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal procedure, and



further, the petitioner, as well as Opposite Party No. 2, is directed to appear before the Court below on 24-04-2025. On the same date, the petitioner shall take Opposite Party No. 2 with him to her matrimonial home from the Court premises itself. Thereafter, both parties shall reside together. The Court below shall monitor their relationship by summoning them in person every month for the next six months. Both the petitioner and Opposite Party No. 2 are further directed to appear before the concerned Court in the first week of every month. If the Court finds that Opposite Party No. 2 is living peacefully with the petitioner and has no grievance against him, the petitioner's provisional bail shall be confirmed. Otherwise, the Court shall pass an appropriate order, including the cancellation of the petitioner's bail.

8. It is expected that Opposite Party No. 2 will also co-operate with the petitioner in restoring normal relations between them.

9. The application stands disposed of.

(Khatim Reza, J)

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