

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76685 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Rakesh Baitha Son of Late Bharat Baitha R/O Village- Dahibhata P.S.-
Uchakagaon, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Devi Wife of Sri Rakesh Baitha, D/O Sri Surendra Baitha R/O
Village- Dahibhata P.S.- Uchakagaon, District- Gopalganj. At Present R/O
Vill.- Sapha, P.S.- Gopalpur, Dist.- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Upendra Yadav
For the State	:	Mr. Indu Kumari Srivastava
For the O.P. No. 2	:	Mr. Umesh Kr. Singh

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 08-07-2025 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 a case
registered for the offence punishable under Section 498A of the
Indian Penal Code.

3. By an earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties but the same has also
failed.

4. The prosecution case is based upon a complaint filed
by the opposite party no. 2 in which she has made an allegation



of demand of dowry and torture. Petitioner is the husband of opposite party no.2.

5. Learned counsel for the petitioner submits that the allegations levelled in the complaint are not correct and as a matter of fact, the petitioner has always been ready to keep the opposite party no.2 with full dignity and honour while the opposite party no. 2 herself is not ready to reside in the matrimonial house.

6. Learned counsel for the opposite party no. 2, however, controverts the submissions made by the learned counsel for the petitioner and rather supports the allegations made in the complaint.

7. At this stage, the petitioner offers to give Rs.3500/- (rupees three thousand five hundred) per month to opposite party no.2 in the first week of every month. 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. In such view of the matter, 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 Complaint Case No. 168 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

9. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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