

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79619 of 2024

Arising Out of PS. Case No.-725 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Birju Kumar S/O Bindeshwar Singh Resident Of Village-Khalwat, P.S.-
Bidupur, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarojni Kumari W/O Birju Kumar, D/O Ramnath Prasad Resident Of
Village-Khalwat, P.S.-BIDUPUR, Dist-Patna, At Present Resident Of Vill-
Mohiuddinpur, P.S.-Fatuha, Dist-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Jay Ram Prasad, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the O. P. No. 2	:	Mr. Surendra Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 21-05-2025 Heard the learned Advocate for the petitioner, learned
Advocate for the O.P. No. 2 and the learned APP for the State.

2. The petitioner happens to be husband of the O.P.
No. 2 apprehends his arrest in connection with Complaint Case
No. 725 of 2020, registered for the offences punishable under
Sections 498(A) and 120(B) of the Indian Penal Code and
Sections 3 and 4 of the Dowry Act.

3. The marriage of the petitioner was solemnized with
the O.P. No. 2 long back in the year 2017. However, on account
of material discord and the family feud; as also the O.P. No. 2
allegedly subjected to torture, the present complaint case came



to be lodged.

4. There is complete denial of the allegation on the part of the petitioner and submission has been made that the couple blessed with two children and the petitioner has always been ready to keep the O.P. No. 2, as his wife, but the O.P. No. 2 refused to do so. The submission of the O.P. No. 2 is otherwise.

5. Considering the dispute between the parties arising out of matrimonial discord, the matter was sent to the Patna High Court Mediation and Reconciliation Center. However, on account of non appearance of the petitioner on three successive dates, the mediation failed.

6. Notwithstanding the aforesaid facts, good gestures have been shown by the learned Advocate for the respective parties and it has been apprised to this Court that the petitioner undertakes that he would pay an amount of Rs. 5,000/- to his wife and the children for their maintenance, till final order is passed by any competent Court.

7. Learned Advocate for the O.P. No. 2 accepts the aforesaid proposal.

8. In view of the aforesaid fact, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna City in connection with Complaint Case No. 725 of 2020, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that (i) one of the bailors shall be the own/close family members of the petitioner (ii) the petitioner shall ensure payment of Rs. 5,000/- per month within first week of the month in the account duly furnished by the O.P. No. 2 (iii) failure or breach of the undertaking before this Court would give liberty to the O.P. No. 2 to file an application before the Court below for taking appropriate action.

(Harish Kumar, J)

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