

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79496 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Lal Bihari Yadav @ Lal Bihari Kumar S/O Bikhari Yadav Resident of
Village- Dularbigha, P.S.- Devkund, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Minti Devi Wife of- Lal Bihari Yadav Resident of Village- Dularbigha, P.S.-
Devkund, District- Aurangabad. Daughter of- Ram Dayal Yadav, Resident of
Village and P.O. - Bhadasi, P.S.- Arwal, District- Arwal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-04-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A),
323 and 494 of the I.P.C. Petitioner is the husband of opposite
party no.2.

3. The allegation in the complaint is with regard to
demand of dowry and torture. Further, allegation is also that
the petitioner has remarried and thus cognizance has been
taken under Section 494 of the I.P.C., along with Section 498A.

4. Learned counsel for the petitioner submits that on
04.08.2023, the complainant left the house of the petitioner



voluntarily and also took away his daughter along with her with regard to which an information by way of a petition has been filed before the Family Court on 05.08.2023.

5. Learned counsel for the complainant, however, opposes the prayer for bail by stating that the petitioner has now solemnized second marriage.

6. At this stage, the petitioner offers to give Rs.4000/- (rupees four thousand) 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.

7. 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 Sub-Divisional Judicial Magistrate, Arwal, Jehanabad in connection with Complaint Case No. 350 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the



investigation/trial.

8. 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.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

Aditya Ranjan

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