

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78402 of 2024

Arising Out of PS. Case No.-1024 Year-2021 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Shashikant Kumar @ Shashikant Pandey S/O Alok Pandey R/O Village-
Pauni Hasanpur, P.S- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dolly Pandey W/O Shashikant Kumar @ Shashikant Pandey R/O Village-
Pauni Hasanpur, P.S- Vaishali, Dist.- Vaishali. At Present residing at D/O
Shambhu Sharma, R/O Village- Inayatpur Prabodhi, P.S- Sarai, Distt.-
Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mrs. Meena Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 03-07-2025 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the complainant/opposite

party no.2.

2. The petitioner apprehends his arrest in connection

for the offences punishable under Sections 498A, 323, 341,

447, 380, 354 and 504/34 of the Indian Penal Code and Section

3 and 4 of the Dowry Prohibition Act.

3. Petitioner is the husband of opposite party no.2. The

allegation is of demand of dowry and torture.

4. It has been submitted by learned counsel for the

petitioner that the marriage dates back to the year 2009 and



after 13 years of the marriage, the present complaint has been filed by the opposite party no.2. He has further pointed out that in her statement on solemn affirmation, the complainant has also stated that she was being tortured just few days after the marriage and yet the present case has been filed after 13 years of the marriage. Further, the petitioner had always made a proposal that since he is staying at Gujrat for his occupation, he is not in a position to keep his wife along with him but she was always free to come to stay at her matrimonial house.

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

6. At this stage, the petitioner offers to give Rs.5,000/- (Rupees Five 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 Court below where the case is pending/successor Court in connection with Complaint Case No.1024 of 2021, 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)

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