

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79376 of 2024

Arising Out of PS. Case No.-281 Year-2024 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Mithilesh Kumar Gupta S/O Harendra Sah R/O Village- Makriyar, P.S.-
Siwan Mufassil (Dhanaoti O.P.), District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi D/O Late Yogendra Sah, W/O Mithilesh Kumar Gupta R/O
Village- Sidhwan, P.S.- Hussainganj, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Adv

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

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

2. Petitioner apprehends his arrest in connection with
Complaint Case No. 281 of 2024 registered for the offences
punishable under Sections 498A of the Indian Penal Code.

3. The allegation in the complaint petition is of demand
of dowry and torture.

4. Learned counsel for the petitioner submits that the
allegations made in the complaint petition are not correct and
the petitioner has never indulged in any demand of dowry or has
not committed any torture upon his wife. It has also been
submitted that complainant does not like to live in the



matrimonial home and despite the petitioner's best effort, he has failed to do the same. The petitioner has also stated in Paragraph-8 and 10 of the petition that he is still ready to revive his matrimonial relation with the complainant and he undertakes to keep her with full honour and dignity.

5. The learned APP and learned counsel for the complainant have opposed the anticipatory bail of the petitioner.

6. At this stage, the learned counsel for the petitioner makes an offer to pay a sum of Rs. 4000/- per month to the complainant, subject to final outcome of any maintenance or collateral proceeding.

7. Considering all the above mentioned facts and circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Siwan in Complaint Case No. 281 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.



7. Learned counsel for the Complainant/O.P.No. 2 under instruction, submits that she undertakes to provide her bank account details to the petitioner within a period of two weeks from today, If the O.P.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 the O.P.No.2,the O.P.No. 2 O.P.No.2 would be at liberty to file cancellation of bail .

(Soni Shrivastava, J)

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