

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83258 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Khushvansh Singh Son of Braj Nandan Singh Resident of village-
Khushalpur, mohanpur, Tomar Tola- Mohanpur, P.s-Dharhara, Distt.- Munger

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rupa Kumari D/O Hira Kumar Singh R/O-Ward no-1, Near C.M.S Science
College, Near Kiran Public School , Madhepura

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikram Singh

For the Opposite Party/s : Mr.Pushpa Sinha.1

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 13-05-2025 Heard learned counsel for the petitioner, learned
counsel for Opposite party no. 2 and the State.

2. Petitioner apprehends his arrest in connection with
Complaint Case No.46 of 2024 registered for the offences
punishable under sections 498A, 323 of the Indian penal code
and sections 3/4 of the D.P.Act.

3. The prosecution case is based upon a complaint
wherein the allegation of demand of dowry and torture has been
made.

4. Learned counsel for the petitioner submits that the
allegation made in the complaint is not correct and the petitioner
has never demanded any dowry and has never treated his wife



with cruelty. The petitioner is always ready to revive his matrimonial relation with the O.P.No.2 and he undertakes to keep her with full honour and dignity and to substantiate his argument, he also draws the attention of the court to the fact that an application for restitution of conjugal right under section 9 of the Hindu Marriage Act was also filed by the petitioner wherein Matrimonial Case no.31 of 2024 and the same has brought on record by way of Annexure P-2. It is also been submitted that the O.P.No.2 is actually not interested in staying with the petitioner and she has also filed matrimonial case for divorce being Matrimonial Case no. 14 of 2024 which was withdrawn and afresh Matrimonial Case no. 39 of 2024 was filed.

5. The learned counsel for the O.P.No. 2, however supports the allegation made in the complaint petition and also states that there is a minor child of three years, who has to be taken care of.

6. At this stage, the learned counsel for the petitioner makes an offer to pay a sum of Rs. 4500/- 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 Sub- Divisional Judicial Magistrate, Madhepura in Complaint Case No. 46 of 2024, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

8. Learned counsel for the 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 O.P.No.2, the O.P.No.2 would be at liberty to file cancellation of bail .

(Soni Shrivastava, J)

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