

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80352 of 2024

Arising Out of PS. Case No.-166 Year-2015 Thana- BIHRA District- Saharsa

Bijendra Thakur @ Bijo Thakur Son of Late Baijnath Thakur @ Bejnath
Thakur Resident of Lakshminiya, Police Station - Bihra, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi Wife of Bijendra Thakur @ Bijo Thakur Resident of Lakshminiya,
Police Station - Bihra, District - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subesh Sharma

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 5 28-04-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the opposite party no.
2.

2. The petitioner apprehends his arrest in connection
with Bihra P.S. Case No.166 of 2015 registered under sections
498A, 504, 341, 323, 325 and 506 of the Indian Penal Code and
Section $\frac{3}{4}$ of the D.P. Act.

3. As per the prosecution case, the informant states
that her husband, the petitioner herein, along with accused
persons started to assault the informant mentally and physically
on account of non-fulfillment of demand of dowry and also
ousted her from matrimonial house.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegation of demand of dowry and torture is false and concocted. The petitioner is always ready to keep his wife with full dignity and honor.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 3,000/- to his wife in the second week of every month for her basic requirements. 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. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bihra P.S. Case No.166 of 2015 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 J.M. 1st Class, Saharsa, subject to the condition laid down under



Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

8. If the opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 3,000/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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