

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81016 of 2024

Arising Out of PS. Case No.-1921 Year-2022 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Rajan Das @ Rajan Kumar S/o Sri Saheb Das Resident of village -
Dhankutwa, P.O. - Sariswa, P.S. - Majhauria, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Sugandhi Devi W/o Sri Rajan Das, D/o Vishesar Das R/o vill - Gulariya,
ward no. 12, P.O.- Dukhichhapar, P.S. - Gopalpur, Distt.- West Champaran
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma
For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 05-05-2025 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 a case
registered for the offences punishable under Section 498A of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

3. As per the prosecution case, the complainant states
that her marriage was solemnized with the petitioner in the year
2017. After some years of marriage, all accused persons
including the petitioner herein started to assault her mentally
and physically on account of non-fulfillment of demand of
dowry and ultimately ousted her from matrimonial house. Vide



earlier order dated 22.03.2025, the matter was sent to the Patna High Court, Mediation Center for reaching an amicable settlement between the parties but the process of mediation has failed.

4. Learned counsel for the petitioner submits that the allegations leveled against him are not correct and he has submitted that as a matter of fact, the complainant has stayed in her matrimonial home for only 8 months after her marriage with the petitioner on 28.04.2017. She, then herself withdrew, from the association of the petitioner and eloped with her brother-in-law after deserting the petitioner. Under such compelling circumstances, the petitioner had filed a divorce case No.130 of 2022 in the court of the learned Principal Judge, Family Court, West Champaran at Bettiah on the ground of adultery and desertion.

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, who also denies the allegations made by the petitioner against his wife.

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. In such view of the matter, let the above named petitioner, be released on bail 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, Bettiah, West Champaran, in connection with Complaint Case No.1921-C of 2022 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 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 opposite party no.2, the O.P. No.2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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