

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83369 of 2024

Arising Out of PS. Case No.-667 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

Divakar Kumar Sinha @ Divakar Sinha Son of Bchoo Prasad Sinha Resident
of Village- chorwar Samhrigadh, P.S.- Kadirganj, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Durga Kumari @ Rani Kumari Wife of Diwakar Kumar Sinha, D/O- Vijay Kumar Resident of Village- Jalalpur, P.S.- Noorsarai, Distt.- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Asha Kumari, APP
For the Opposite Party/s	:	Mr. Rahul Kumar, Advocate
		Mr. Subash Patel, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 26-06-2025 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 Complaint Case No.667C of 2019 registered under
Sections 498A, 323, 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states
that her husband, the petitioner herein, along with accused
persons started to assault the complainant 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



earlier the matter had been sent to the Patna High Court Mediation Center vide order dated 30.04.2025 but the mediation process has failed. Learned counsel for the petitioner further submits that 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 but it is the complainant who never wants to live with the petitioner.

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. 4000/- 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 Complaint Case No.667C of 2019 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 Chief Judicial Magistrate, Nalanda, 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. 2500/- 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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