

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83396 of 2024

Arising Out of PS. Case No.-118 Year-2023 Thana- DEV District- Aurangabad

Gautam Kumar Son of Late Awadhesh Singh Resident of Village - Deo Block,
P.S. - Deo, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Daughter of Rajeshwar Singh, Wife of Gautam Kumar Resident of Deo Block, P.S. - Deo, District - Aurangabad (Bihar). At present - Village and P.O. - Baliya, P.S. - Guraru, District - Gaya (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Birendra Kumar Singh, Adv.
For the State	:	Ms. Asha Kumari, APP
For the Informant	:	Mr. Akshay Kumar, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 06-08-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 494, 498(A), 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act and he is husband of the informant.

3. Petitioner, who is husband of the informant, is said to have tortured upon her physically and mentally in association of his family members over the dowry demand.

4. The matter had earlier been sent to the Patna High Court Mediation Centre for amicable settlement of disputes between the parties, but the mediation process failed.



5. It is submitted by learned counsel for the petitioner that all the allegations levelled against the petitioner are totally incorrect and as a matter of fact, the petitioner has always been ready to keep his wife with due dignity and honour, but it is the informant who is not desirous of staying in her matrimonial house.

6. Learned counsel appearing for the informant, however, stands by the allegation levelled in the FIR and strongly opposes the prayer for anticipatory bail.

7. At this stage, learned counsel for the petitioner makes an offer that the petitioner would make the payment of Rs. 4000.00/- (Rupees Four Thousand) per month to the informant in the second week of every month for her sustenance.

8. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Court below where the case is pending/successor Court in connection with Deo P.S. Case No. 118 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



9. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

10. Learned counsel for the informant is directed to furnish the bank account details of the informant in the learned Court below. If the informant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the informant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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