

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87085 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- MAHILA PS District- East Champaran

Deepu Kumar @ Dipu Kumar S/O Krishana Prasad R/o Village- Godhwa,
P.O.- Patauna, Ward No., 07, P.S.- Muffasil Motihari, District- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dularman Kumari W/O Deepu Kumar, D/O Rup Narayan Mahto R/O Vill.-
Lakhaura Jhitkahiya, P.S.- Lakhaura, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vagisha Pragya Vacaknavi, Advocate
For the Opposite Party/s	:	Mr.Ajit Kumar, APP
For the O.P. No. 2	:	Mr. Shashi Bhusban Pandey, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 4 17-06-2025 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 Motihari Mahila P.S. Case no.19 of 2024 registered under
sections 498A, 323, 341, 504, 506 and 34 of the Indian Penal
Code and Section 3/4 of the D.P. Act.
3. The allegation in the F.I.R is with regard to demand
of dowry and torture and petitioner is the husband.
4. Learned counsel for the petitioner submits that



earlier the matter had been sent to the Patna High Court Mediation Centre vide order dated 18.12.2024 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. As a matter of fact, the petitioner was forcibly married with the opposite party no.2 in a temple which was subsequently registered, however no one from the side of the petitioner was witness to the marriage. Learned counsel for the petitioner further submits that the petitioner has also filed for divorce, bearing Divorce Case No.525 of 2024 before the Principal Judge, Family Court, East Champaran at Motihari which is pending for adjudication. The petitioner has no criminal antecedent and undertakes to co-operate in case/trial.

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 supports that the allegations made in the F.I.R.

6. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 4,000/- 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 and circumstances 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 Motihari Mahila P.S. Case no.19 of 2024 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, 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. 4,000/- 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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