

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85204 of 2024

Arising Out of PS. Case No.-1250 Year-2023 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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Manohar Kumar Sah Son of Ram Kripal Sah Resident of Village -
Baghakhoh, P.S. - Akorhigola, District - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari Wife of Manohar Kumar Sah, Daughter of Shiv Shankar Prasad
Gupta Resident of Village - Baraon, Post - Baraon, P.S. - Nokha, District -
Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey
For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 01-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 498A of the
Indian Penal Code and Section 3 of the Dowry Prohibition Act.

3. By earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties but the same has
failed.

4. Petitioner is the husband of opposite party no.2. The
prosecution case is based upon a complaint filed by the
opposite party no. 2 in which she has made an allegation of
demand of dowry and torture.



5. Learned counsel for the petitioner submits that the allegations levelled against the petitioner in the complaint are not correct and as a matter of fact the petitioner was and is still ready to keep the complainant in his house as his wife with due dignity and honour and with respect to the same he has also filed an application under Section 9 of the Hindu Marriage Act being Case No. 238 of 2023. It has been submitted on his behalf that it is the complainant herself who has left the house voluntarily and is not willing to stay with the petitioner.

6. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no. 2.

7. At this stage, the petitioner offers to give Rs.4000/- (rupees four thousand) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. In such view of the matter, 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 A.C.J.M.-I, Rohtas at Sasaram in connection with Complaint Case No. 1250 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

9. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party 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 opposite party no.2 would be at liberty to file cancellation of bail.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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