

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87615 of 2024

Arising Out of PS. Case No.-697 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Munna Chaudhary @ Munna Parihar S/O Kalu Chaudhary @ Kamaldeo
Parihar Resident of Village- Kumharwa, P.S-Kadwa, P.O- Chandpur District-
Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi wife of Munna Chaudhary @ Munna Parihar, Daughter of
Dusadh Chaudhary @Shambhu Chaudhary R/O Village- Kumharwa, P.S.-
Kadwa, District- Katihar, At present R/O Mohalla Ambedkar Chauk
Mirchaibari, P.S.- Sahayak Katihar, P.S. and District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Suresh Prasad Sah, Adv
For the State	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Ratnakar Ambstha, Adv

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-07-2025 Heard learned counsel for the petitioner and learned
counsel for the OP.No.2 learned counsel for the state.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under section 498A of the Indian
Penal Code and ¾ of the D.P.Act

3. The case is one under section 498A and the petitioner
is husband. The complaint case filed by the OP.No.2 discloses
an allegation of demand of dowry and torture.

4. The matter had earlier been sent to the Mediation
Center, Patna High Court for resolution of disputes but the



mediation process failed.

4. Learned counsel for the petitioner submits that the allegations made in the complaint is not correct and as a matter of fact, the petitioner is still ready to keep his wife with full honour and dignity but it was OP.No.2, who was not willing to stay with the petitioner. Further the petitioner had very recently suffered a paralytic attack as disclosed in the supplementary affidavit filed on behalf of the petitioner. He is unable to even attend to his daily chores and hence, there is no question of being able to work and earn money and a lot of money has already been spent for getting his medical treatment done.

5. The learned counsel for the O.P.No. 2 however opposes the prayer for bail and has even submitted that despite an order having been granted in the maintenance proceeding, the petitioner is also not paying the said amount.

6. In the special facts and circumstances of the case where the petitioner is paralyzed and is unable to earn, I am inclined to grant privilege of anticipatory bail to the petitioner. Let the petitioner, in the event of his arrest/ surrender within a period of four weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (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 Complaint case no. 697 of 2021 , subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

8. However, it is expected that the petitioner would arrange for some expenses, which would take care of his children.

(Soni Shrivastava, J)

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