IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38068 of 2026

CNR No. BRHC010549332026

Arising Out of PS. Case No.-32 Year-2026 Thana- PHENHARA District- East Champaran

==========

Nitesh Kumar S/o Ajay Kumar Sah Resident of Vill- Kodariya Abhi, P.S.- Phenhara, Dist- East Champaran

... ... Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari W/o Nitesh Kumar, D/o Raju Kumar R/o vill - Bhandar, P.S.- Pachpakadi, Distt.- East Champaran

... ... Opposite Party/s

==========

Appearance :

For the Petitioner/s	:	Mr. Sitesh Kashyap, Advocate
	:	Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s	:	Mr. Bishweshwar Ram, A.P.P
For the O.P. No.2	:	Mr. Rananjay Kumar, Advocate
	:	Md. Asif Kalim, Advocate

==========

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

4 28-10-2026 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed.

2. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

3. The petitioner, who is husband of opposite party no. 2, apprehends his arrest in a punishable for the offences under Sections 85, 115(2), 351, 3(5) of BNS and section 3/4 of D.P.

Act.

4. Petitioner is alleged to have committed torture and harassment with opposite party no. 2 for dowry.

5. Learned counsel for the petitioner submits that petitioner denies the allegation made in the complaint petition and submits that he never committed torture to opposite party no. 2 or demanded any dowry. However, the petitioner undertakes to give Rs. 3,000/-per month by way of temporary relief/solace, starting from this month, to the opposite party no.2.

6. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 3,000/- (Rupees three thousand) per month*** to the opposite party no. 2, in the event of arrest/surrender within a period of eight weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, East Champaran, in connection with Fenhara Case No. 32 of 2026, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482 of the B.N.S.S. as well as on the following conditions:-

"(1) Opposite party no. 2 would file an affidavit before the court below and bring on record her savings bank account number for its communication to the petitioner.

(2) Petitioner would deposit the aforesaid amount per month in the savings bank account of the opposite party no. 2.

(3) In case, the petitioner fails to deposit the aforesaid amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(4) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise."

(Prabhat Kumar Singh, J)

Mridula/-

U		T	