

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51461 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- MALAHI District- East Champaran

1. Harendra Tiwari S/O Late Ramanand Tiwari R/O Vill.- Purendrapur, Shani Bazar Areraj, P.S.- Malahi, P.O.- Malahi, Dist.- East Champaran.
2. Sushil Kumar Tiwari S/O Harendra Tiwari R/O Vill.- Purendrapur, Shani Bazar Areraj, P.S.- Malahi, P.O.- Malahi, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Komal Kumari W/O Sushil Kumar Tiwari, D/O Arun Pathak R/O Vill.- Mahamada Chabutala, P.S. and P.O.- Mehsi, Dist.- East Champaran- 845426

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Alok Chandra, Adv.
For the State	:	Mr. Md. Matloob Rab
For the OP-2	:	Mr. Shambhu Nr. Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-01-2026 The present bail petition already stood dismissed as withdrawn in respect of petitioner no. 1 (Harendra Tiwari), vide order dated 29.07.2025.

2. Heard learned counsel for the petitioner (Sushil Kumar Tiwari), learned A.P.P. for the State and learned counsel for the informant / opposite party no. 2.

3. The petitioner, who is husband of opposite party no. 2, apprehends his arrest in a case registered for the offences under Sections 85, 89, 126(2), 115(2) and 3(5) of the B.N.S. and Section 4 of the Dowry Prohibition Act.

4. As per F.I.R., petitioner is alleged to have



committed torture and harassment with opposite party no. 2 for dowry.

5. Pursuant to order dated 08.10.2025, 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.

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

7. In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give temporary relief/solace of ***Rs. 5,000/- (Rupees five 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 (Sushil Kumar Tiwari) 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 Sessions Judge, East Champaran, Motihari / concerned Court in connection with Malahi P.S. Case No. 25 of 2025, subject to the



conditions laid down under Section 482 of the B.N.S.S. as well as on the following conditions:-

- “(A) 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.
- (B) Petitioner would deposit the aforesaid amount per month in the savings bank account of the opposite party no. 2.
- (C) 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.
- (D) 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.”

8. The anticipatory bail petition is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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