

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66978 of 2025

Arising Out of PS. Case No.-202 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Amit Kumar Pradhan S/o Satyendra Pradhan R/o Village- Jalilpur, P.S.-
Rajpur, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Rai W/o Amit Kumar Pradhan and D/o Jay Shankar Rai R/o Village-
Sonpa, P.S.- Rajpur, District- Buxar, at present residing at Malahchakiya,
Hawai Adda, P.S.- Buxar Mufassil, District- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 17-01-2026 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 Sections 498A, 323
of the Indian Penal Code.

3. 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. Petitioner is the husband of
opposite party no.2.

4. Learned counsel for the petitioner has submitted that
the petitioner is an Army personnel and as a matter of fact, it is
the complainant herself who is not desirous of staying with the



petitioner and had thus filed a case for divorce under Section 13(B) which was eventually dismissed for non-prosecution. It has also been submitted that the complainant herself is a private teacher and it has also been admitted by her in the 13(B) proceedings that no conjugal relationship was established between them for at least 16 to 17 months when there were staying separately from each other.

5. The application is opposed by the learned APP for the State and learned counsel for the opposite party no. 2. It has specifically been submitted by the learned counsel for the opposite party no. 2, that till date no amount is being given to her, however, he admits that a maintenance case has been filed. He further makes a strong denial of the fact that the opposite party no. 2 is a private teacher.

6. At this stage, the learned counsel for the petitioner submits that the petitioner proposes to pay an amount of Rs. 5000/- (rupees five 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.

7. 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 court below where the case is pending/successor court in connection with Complaint Case No. 202 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

8. 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.

9. Accordingly, this application stands disposed of.

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(Soni Shrivastava, J)

