

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70032 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Abhiram Kumar @ Monu @ Abhiram Rai Yadav S/o- Chaturanand Rai
Village- Rampur Shyamchand PS-Raghopur Dist- Vaishali Bihar presently at
Hasalpur PS- Aamla Dist- Vaitul Madhya Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Kumari D/o- Laxman Rai, W/o- Abhiram Kumar @ Monu @ Abhiram
Rai Yadav Moh- Nawabganj, Bundtoli Ps- Malsalami Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 24-07-2026 Heard learned counsel for the petitioner and learned

counsel for the informant beside learned APP representing the

State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No.245 of 2024 registered for
the offence punishable under Sections 498(A), 323, 406, 504,
506 and 34 of the Indian Penal Code, lodged by the complainant
Ruby Kumari.

3. As per the prosecution story, the marriage took
place in the year 2022 but was tortured for dowry and later
allegation is that she was thrown out. This led to the complaint.

4. Learned counsel for the petitioner submits that due



to her attitude a Divorce Suit No. 08 of 2024 was preferred and a decree of divorce has already been granted on 03.09.2024. Further submission is that the complaint was filed upon knowledge of the said Divorce Suit. Last submission is that without accepting the allegation or outcome of the present petition, the petitioner intends to pay Rs.6,000/- per month to the lady in her bank account by 10th of every month failing which the lady shall be free to take steps for cancellation of bond.

5. The complainant is appearing and according to the lady, she never got information about the pendency of the Divorce Suit and as already filed MJC No. 24 of 2024 has already been preferred before the competent court in the State of Madhya Pradesh against the Ex-Parte order in which the petitioner has already appeared and the matter was sent to the Mediation Centre but when it failed, the case is proceeding.

6. Taking into account the submissions of the parties as also that even if the Ex-Parte order, an order has come in the Divorce Suit which has been challenged by the lady and the parties are appearing, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.6,000/- per month to the lady in her bank account



by 10th of every month failing which the lady shall be free to take steps for cancellation of bond and the first installment shall be paid at the time of execution of bail bond.

7. This order of payment shall merge with any order passed by the Matrimonial Court which is presently pending before a competent court in the State of Madhya Pradesh.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, in connection with Complaint Case No.245 of 2024 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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