

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14809 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- FALKA District- Katihar

RAMAN KUMAR JHA S/o Shiv Shankar Jha Resident of Village- Kamakhya
Nagari Banshitikar, P.S.- Sabaur, Distt- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Preeti Jha W/o Raman Kumar Jha Resident of Village- Jhagruchak, P.S.-
Falka, Distt- Katihar.

... .. Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Madhuri Kumari
For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-07-2020 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned A.P.P. for the
State through video conferencing.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 323,
498 A & 504/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

Petitioner, who is husband of opposite party no.2.,
is said to have ousted the opposite party no.2 from her
matrimonial home in association of his family members over the
dowry demand.

It is submitted by learned counsel for the
petitioner that the petitioner is an innocent person and has
committed no offence. Petitioner has neither made any dowry



demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. Learned counsel for the petitioner submits that petitioner made several efforts to save his marriage with informant but not able to succeed. Therefore, the petitioner was compelled to file Divorce Case. Learned counsel for the petitioner, at this juncture, submits that the petitioner is ready to give maintenance amount of Rs. 5000/- (five thousand) per months starting from this month to the complainant/opposite party no. 2 which has been agreed by the counsel for the opposite party no. 2.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 5000/- (five thousand) month, 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 six weeks from today, on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Katihar in connection with Falka P.S. Case No. 312 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. as well as on following conditions:

(i) Opposite party no. 2 would file an affidavit before



the court below and bring on record her saving bank account number for its communication to the petitioner. Learned counsel for the opposite party no. 2 furnished the details account of the opposite party no. 2, Account holder name: Preeti Jha, Account No.: 5243101003210, IFSC Code : CNRB0005243, Canara Bank, Prithvi Market, Genrabari Bazar, Kora, Katihar.

(ii) Petitioner would deposit the aforesaid maintenance amount per month in second week of every succeeding month in the saving bank account of the opposite party no. 2.

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

It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial, maintenance or any other collateral proceedings.

The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Anjani Kumar Sharan, J)

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