

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14013 of 2022

Arising Out of PS. Case No.-328 Year-2021 Thana- CHANPATIA District- West Champaran

Amit Kumar Son Of Pramod Prasad Resident Of Nakched Tola, Ward No. 4,
Motihari, P.S.- Town, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Deepa Jaiswal Wife Of Amit Kumar Daughter Of Parsuram Prasad Jaiswal
Resident Of Ghandhi Nagar Chanpatia, Ward No. 6, P.O. And P.S.-
Chanpatia, District- West Champaran

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14580 of 2022

Arising Out of PS. Case No.-328 Year-2021 Thana- CHANPATIA District- West Champaran

1. PRAMOD PRASAD Son of Late Dinanath Prasad Resident of Nakched
Tola, Ward No. 4, Motihari, P.S. - Town, District - East Champaran.
2. Manorama Devi Wife of Pramod Prasad Resident of Nakched Tola, Ward
No. 4, Motihari, P.S. - Town, District - East Champaran.
3. Anupam Jaiswal Son of Pramod Prasad Resident of Nakched Tola, Ward No.
4, Motihari, P.S. - Town, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Deepa Jaiswal Wife of Amit Kumar, Daughter of Parsuram Prasad Jaiswal
Resident of Gandhi Nagar Chanpatia, Ward No. 6, P.O. and P.S. - Chapatia,
District - West Champaran.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14013 of 2022)

For the Petitioner/s : Mr.Anjani Kumar Jha

For the Opposite Party/s : Mr.Veena Rani Prasad

(In CRIMINAL MISCELLANEOUS No. 14580 of 2022)

For the Petitioner/s : Mr.Anjani Kumar Jha

For the Opposite Party/s : Mr. H.A Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-11-2022 As both these bail applications have cropped up from the
same police station case number, hence, with consent of parties, they



are being heard together and disposed of by this common order.

Heard the parties.

The petitioners apprehends their arrest in a case registered under sections 341, 342, 323, 379, 498(a), 354, 504 and 34 of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioners is of torturing the informant in association of his family members on account of non-fulfillment of demand of dowry and of ousting her out of the matrimonial house.

It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. Petitioners have never made any dowry demand and has been falsely implicated in the present case mostly on suspicion and grudge. There is general and omnibus allegation against the petitioners. The petitioners have relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006 (3) PLJR 182.*

In view of the matter, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/Successor Court in Complaint Case No. 328 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Petitioner (husband) in Criminal Miscellaneous No.14013 of 2022 is ready to pay Rs.5000 /- (Rupees Five Thousand) per month to opposite party No.2 in the first week of every month, for her maintenance, as per the bank account details furnished by her in the learned Court below.

It is made clear that if the petitioner in criminal miscellaneous no.14013 of 2022 fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below for cancellation of the bail bond of the petitioner.

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

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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