

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27736 of 2021

Arising Out of PS. Case No.-358 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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SANTOSH PASWAN Son of Raj Kumar Paswan Resident of Village-
Aadarsh Nagar Colony, Gaushala Road, P.S.- Madhubani Town, District-
Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amrita Devi D/o Bindeshwar Paswan Resident of Village- Haripur, P.S.-
Kaluahi, District- Mudhabani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.
For the Opposite Party/s : Mr.Bal Mukund Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 04-07-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in a case registered
under section 498(A) of the IPC and sections 3/4 of Dowry
Prohibition Act.

Petitioner, who is husband of the informant, is said to
have committed torture upon the informant in association of his
family members on account of non-fulfillment of demand of
dowry and ousted her out of the matrimonial house.

It is submitted by learned counsel for the petitioner that
petitioner is an innocent person and has committed no offence.
Petitioner has never made any dowry demand and has been



falsely implicated in the present case due to grudge. There is general and omnibus allegation against the petitioner and he is ready and willing to keep his wife with full honour and dignity. The petitioner has 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 that view of the matter, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five 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 Madhubani Town P.S. Case No.358 of 2019, corresponding to C.R.I. Case No.1826 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is ready to pay Rs.2000/- (Rupees Two 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 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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