

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32097 of 2021

Arising Out of PS. Case No.-1415 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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KUMAR VISHWA RANJAN SON OF AWADH KISHORE PATHAK R/O -
KALIBAGH CHAUK, P.S.- BETTIAH TOWN (KALIBAGH O.P.),
DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

1. The State of Bihar
2. RENU DEVI @ RENU PATHAK WIFE OF KUMAR VISHWA RANJAN
D/O- GIRIJA MOHAN TIWARI PRESENTLY RESIDING IN VILLAGE-
TURHAPATTI, BRAHMAN TOLA, P.S.- SIRISIYA (O.P.), DISTRICT-
WEST CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Randhir Kumar No.1, Adv
For the Opposite Party/s :	Mr. Ram Sumiran Rai, App
	Mr. Ashok Kumar Gupta, Adv

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-07-2022 Heard the parties.

The petitioner apprehends his arrest in a case registered under sections 494, 498(A) of the Indian Penal Code and 4 of D.P. Act.

The allegation against the petitioner is that he assaulted and threatened to divorce his wife on account of non-fulfillment of demand of dowry. It is also alleged that the petitioner used to talk to a Japanese girl and when the informant enquired about the same, the petitioner left her in the matrimonial home.

It is submitted by learned counsel for the petitioner that



the petitioner is quite innocent and has committed no offence. Petitioner has 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 petitioner. He further submits that the petitioner has not been in a relationship with any Japanese girl. 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 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 six weeks from today, on furnishing bail bond 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 Complaint Case 1415C/2017 (S.C. Case No. 1348 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Petitioner is ready to pay Rs.10,000/- (Rupees Ten 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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