

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24661 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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MANTOSH KUMAR @ MANTOSH KUMAR SONI S/o Arjun Praad
Resident of Village- Miscuot, Ward No.7, P.S.- Town Motihari, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Prateek Tandon, Advocate
For the State	:	Mr. APP
For the Informant	:	Mr. Abhishek Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-09-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A), 341, 323, 504, 506, 379 and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Petitioner, who is husband of the informant, is said to have ousted her 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 drover her out of her matrimonial home nor tormented her over



the demand of dowry. He is still ready to keep her 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 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 connection with Town P.S. Case No.27 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Petitioner is ready to pay Rs.5000/- (rupees five thousand) per month to the informant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, the informant shall be at liberty to move before the learned court below for cancelling the bail bond of the petitioner.

It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial



maintenance case or any other collateral proceedings.

Learned counsel for the informant is directed to make available her bank account details in the learned court below.

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

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J.)

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