

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40467 of 2022

Arising Out of PS. Case No.-223 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

Manish Tiwari @ Manish Tiwary Son of Sri Ravi Shankar Tiwari @ Ravi Shankar Prasad Tiwari Resident of - Mission Compound, Mohalla - East Dahiyawan, P.O.- Chapra, P.S.- Chapra Town, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. M.N. Parvat, Senior Advocate Praveen Prabhakar, Advocate
For the State	:	Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard Mr. M.N. Parvat, learned Senior Counsel assisted by Mr. Praveen Prabhakar for the petitioner, learned APP for the State as well as learned counsel appearing on behalf of the informant.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323 and 498(A) 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 the informant 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 Chapra Mufassil P.S. Case No.223 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Petitioner is ready to pay Rs.3000/- (rupees three thousand) per month to the informant in her account in the second week of every month for a period of six months. 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 cancellation of bail bond of the petitioner.

The informant is directed to file a maintenance case in the learned court below within a period of six months from the date of receipt/production of a copy of this order.

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 the bank account details of the informant 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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