

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54424 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- JHAJHA District- Jamui

SAKET BHATTA S/o SRI AJESH KUMAR BHATTA R/o F-17, P.C. COLONY, KANKARBAGH, TOWN AND DISTRICT OF PATNA AT PRESENT RESIDING AT RAJIV NAGAR (KESHRI NAGAR) IN THE HOUSE SRI SANJEEV KUMAR UNDER RAJIV NAGAR POLICE STATION, TOWN AND DISTRICT OF PATNA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHREYA CHOUDHARY D/o LATE BRAJ KISHORE CHOUDHARY R/o QR No.174 (A), RAILWAY COLONY, JHAJHA JAMUI, BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2022 Heard the parties.

The petitioner apprehends his arrest in a case registered under sections 341, 342, 323, 307, 498(A), 504/34 of the Indian Penal Code and $\frac{3}{4}$ of D.P. Act.

The allegation against the petitioner is that he along with his family members brutally assaulted the informant and locked her in a room. It is alleged that the petitioner along with his father tried to kill the informant by wrapping duppta on her neck. It is further alleged that the elder brother of the petitioner demanded a four wheeler car from the informant but she was not able to fulfill his demand, as a result of which the mother-in-



law and father-in-law of the informant ousted her from her matrimonial house.

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 informant has illicit relation with her brother-in-law. The petitioner is ready to keep his wife with him with full honour and dignity. Petitioner has no criminal antecedent, also mentioned in para- 3 of the bail application. 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 Jhajha P.S. Case No. 08 of 2020,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Petitioner is ready to pay Rs.8,000/- (Rupees Eight 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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