

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55741 of 2021

Arising Out of PS. Case No.-9 Year-2018 Thana- COMPLAINT CASE District- Banka

-
1. Subodh Kumar S/o Ratan Chauhan R/o village Kiranpur, P.S. Shambhuganj, District Banka.
 2. Ajholiya Devi W/o Ratan Chauhan R/o village Kiranpur, P.S. Shambhuganj, District Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sona Kumari W/o Subodh Kumar R/o village- Kiranpur, P.O.- Pariya, P.S.- Shambhuganj, District- Banka. At present Address- Father of Nago Mandal, Ro village- Rajwan, P.S.- Dhoraiya, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Ms. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Petitioners, who are husband and mother-in-law of opposite party no.2, are said to have ousted the opposite party no.2 from her matrimonial home in association of their family members over the dowry demand.

It is submitted by learned counsel for the petitioners



that the petitioners are innocent persons and have committed no offence. Petitioners have neither made any dowry demand nor drover her out of her matrimonial home nor tormented her over the demand of dowry. The husband is still ready to keep her with full honour and dignity. The petitioners have 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 petitioners, be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each 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 Complaint Case No.09/2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Petitioner No.1, Subodh Kumar is ready to pay Rs.5,000/- (rupees five thousand) per month to opposite party no.2 in the second week of every month. If petitioner no.1 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 cancelling the bail bond of the petitioners.

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 opposite party no.2 is directed to make available the bank account details of opposite party no.2 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.)

Sanjay/-

U		T	
---	--	---	--

