

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63823 of 2021

Arising Out of PS. Case No.-66 Year-2021 Thana- MAHILA P.S. District- Bhojpur

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Bipin Kumar @ Bipin Kumar Thakur @ Pipin Kumar Thakur Son Of Parash Nath Thakur Resident Of Village - Jamira, P.S.- Ara Muffasil, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Narayan Singh.1

For the State : Mr.Bharat Lal

For the opposite party no. 2 Mr. Bajarangi Lal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-05-2022

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 494, 498A/34 of the Indian Penal Code.

Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 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 innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner. Petitioner has neither made any dowry demand nor drove 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**.

Petitioner is also ready to pay Rs. 10,000/- per month to the opposite party no. 2 as maintenance in the second week of every month for a period of one year.

Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks by submitting the same on affidavit before the learned court below.

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 Mahila P.S. Case No.66/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,



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 Center for the purpose of reconciliation or one time settlement.

It is made clear that if the petitioner fails to give the aforesaid maintenance amount on three consecutive months to opposite party no.2, the opposite party no. 2 would be at liberty to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

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