

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71243 of 2021

Arising Out of PS. Case No.-29 Year-2021 Thana- MAHILA P.S. District- Vaishali

BARUN KUMAR Son of Late Suresh Ojha Resident of Village- Karja, P.S.-
Bihiya, District- Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Poonam Ojha @ Poonam Kumari Wife of Barun Kumar, D/o Dharmnath
Chaubey Resident of Village- Ganga Bridge Colony, C/15, P.S.- Industrial
Area, District- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishikesh Ojha
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2022 Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned A.P.P. for the
State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 323,
498A, 379 & 504/34 of the Indian Penal Code.

Petitioner, who is husband of opposite party no.2.,
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 an innocent person and has



committed no offence. 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. Learned counsel for the petitioner further submitted that petitioner is ready to make payment of Rs.15,000/- (Rupees Fifteen Thousand) in second week of every succeeding month in the bank account of opposite party no.2 for her maintenance as per the details furnished by her counsel.

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 Hajipur Mahila P.S. Case No.29/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial, maintenance or any other collateral proceedings.

The present order, in any way, will preclude the



parties to resolve the issue otherwise.

It is made clear that if the petitioner fails to make payment on three consecutive dates, the learned court below will be at liberty to cancel the bail bond of the petitioner.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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