

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64148 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- MAHILA PS District- Buxar

SANDEEP KUMAR Son of Late Vijay Kumar Prasad @ Vijay Kumar
Resident of Village - Karisath, P.S.- Udwant Nagar, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rang Nath Choubey
For the Opposite Party/s :	Mr. H.A. Khan
	Mr. Mrigendra Pratap Singh
	Mr. Rupesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

9 07-02-2022 Heard learned counsel for the parties through virtual court proceedings.

The petitioner apprehends his arrest in Buxar (Mahila) P.S. Case No.34 of 2019, registered for the offences punishable under Sections 498A, 406, 504, 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The 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.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner has neither made any dowry demand nor drove the informant out of her matrimonial home nor tormented her over the demand



of dowry. He is still ready to keep his wife 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**. It is also submitted that the petitioner is ready to pay Rs.5000/- (Rupees Five Thousand) per month to the informant in the second week of every succeeding month in the bank account of the informant for her maintenance as per the details furnished by 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 Buxar (Mahila) P.S. Case No.34 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.



It is also made clear that 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.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J.)

Sanjay/-

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