

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2437 of 2023

Arising Out of PS. Case No.-856 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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RAHUL KESHRI @ RAHUL KUMAR KESHRI Son of Lagan Keshri R/o
Godri Bazar, Padrauna Sonari Gali, Ward no. 19, P.S- Padrauna, Dist-
Kushinagar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Devi Wife of Rahul Keshri, D/o Kanhaiya Prasad R/o Muhalla- Godri
Bazar, padrauna Sonari Gali, P.S- Padrauna Dis- Kushinagar, At present R/o
Indrapuri Colony, Ward no. 7, P.S- Bettiah (Town) Dist- West champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Abhay Kumar, APP
For the O.P. No.2	:	Mr. Manoj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 18-09-2023 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the opposite party
no.2.

2. The petitioner apprehends his arrest in a case registered

for the offences punishable under Section 498A of the Indian
Penal Code and Section 4 of the Dowry Prohibition Act.

3. 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.

4. It is submitted by learned counsel for the petitioner that



no such occurrence as alleged ever took place. It is further submitted that the petitioner is 70% handicapped and the complainant never liked the petitioner and in spite of all possible efforts being made from the petitioner's side, she could never accept the petitioner. It is further submitted that the opposite party no.2 was having an affair with one Pashupati Mishra and when the petitioner protested this false and fabricated case has been lodged against the petitioner and others. It is further submitted that petitioner has already deposited Rs.1 lac as per the decree passed in Matrimonial/96/2019 and is further ready to pay Rs.2000/- per month to the daughter of opposite party no.2. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP assisted by learned counsel for the opposite party no.2 opposed the prayer for bail. Learned counsel for the opposite party no.2 further submitted that the petitioner is not appearing before the learned Principal Judge, Family Court, West Champaran at Bettiah in the maintenance case.

6. By order dated 31.07.2023, the Senior Superintendent of Police, West Champaran at Bettiah was directed to submit a report as to whether the petitioner has four shops and a house as recorded in the said order. In compliance of the aforesaid



order, the Superintendent of Police, West Champaran at Bettiah has sent a report dated 28.08.2023, after seeking a report from the Superintendent of Police, Kushinagar, Uttar Pradesh, *inter alia*, stating that there is a house constructed on 32 x 32 sq ft of land. On the ground floor of the said house, there are four rooms and one small courtyard where there is a counter and in four room stock of ready made garments have been kept. The said land in the name of mother of this petitioner.

7. Having regard to the facts and circumstances of the case, 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 Complaint Case No. 856(C) of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. The petitioner is directed to appear in the maintenance case pending before the learned Principal Judge, Family Court, West Champaran at Bettiah and if the petitioner fails to appear on two consecutive dates, the opposite party no.2 will be at liberty to file an application for cancellation of bail of the petitioner. It is



further directed that petitioner will pay Rs.2000/- per month to
the daughter of opposite party no.2 as per his own submission.

(Anjani Kumar Sharan, J)

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