

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3991 of 2023

Arising Out of PS. Case No.-1468 Year-2020 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Prahlad Sah @ Prahlad Kumar S/O Devendra Sah @ Devendra Prasad Sah
R/V- Sitalpur Pirganj, P.O.- Sitalpur, P.S.- Dighwara, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushi Devi W/o Prahlad Sah @ Prahlad Kumar D/O Virchandra Sah R/V-
Sitalpur Pirganj, P.O.- Sitalpur, P.S.- Dighwara, District- Saran At Present
Residing At Village- Sarai Purani Bazar, P.O.- Sarai, P.S.- Sarai, District-
Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ravish Mishra
For the Opposite Party/s	:	Mr. Mritunjay Kumar Nirala
For the Informant	:	Mr. Jyoti Ranjan Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A) 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.

Learned counsel for the petitioner submits that the petitioner is an innocent person and has committed no offence. He submits that the opposite party no. 2 has also filed a



Maintenance Case bearing No. 48/2019 and in that Maintenance Case learned Court below has directed the petitioner to pay Rs. 5,000/- per month to the opposite party no. 2. 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. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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 Complaint Case No. 1468 of 2020, 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.

The petitioner is further directed to pay the entire



arrears amount as per the order passed by the learned Court below in Maintenance Case No. 48/2019, which comes to the tune of Rs. 40,000/-.

Learned Court below shall accept the bail bond of the petitioner after verifying the fact that the petitioner has paid the aforesaid amount of Rs. 40,000/- to the opposite party no.2.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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