

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9992 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- MAHILA PS District- Buxar

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1. RANJIT CHOUHAN Son of Harinarayan Chouhan Resident of Kotwa Narayanpur, P.S.- Narhi, District- Balia (U.P)
 2. PUJA KUMARI D/O Pardesi Ram Resident of Village- Govindpur, P.S.- Bhawarkol, District- Gazipur (U.P)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari D/O Satynarayan Prasad, Wife of Ranjit Chouhan Resident of Village- Ekraasi, P.S.- Bagen Gola, District- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ajit Kumar, Adv.
For the Opposite Party/s :	Mr.Atul Chandra, APP
	Mr.Ramakant Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-08-2023 Heard learned counsel for the petitioners, learned counsel for the O.P. No.2 and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable u/s 323, 341, 504, 498(A), 494, 34 of the IPC and Section 3 and 4 of the Dowry Prohibition Act.

3. Petitioner no.1, who is husband of informant, is said to have tortured the informant in association of his family members over dowry demand. It is alleged that petitioner no.1 had illicit relationship with the petitioner no.2 and petitioner no.1 solemnized second marriage with the petitioner no.2.

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



the petitioners are innocent and have committed no offence. Petitioner no.1 has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. Petitioner no.1 is still ready to keep her with full honour and dignity and is also ready for an amicable settlement. 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**.

5. In that view of the matter, let the above named petitioners, be released on bail, in the event of their 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) each 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.01 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

6. Petitioner no.1 is ready to pay Rs.3000.00 (Rupees Three Thousand) per month to the informant in the second week of every month. If the petitioner no.1 fails to pay the aforesaid amount on two consecutive months, informant shall be at liberty



to move before the learned Court below for cancelling the bail bond of both the petitioners.

7. 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.

8. Learned counsel for the O.P. No.2 is directed to furnish the bank account details of the informant before the learned Court below. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details.

9. 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.

10. With the aforesaid observation and direction, this application stands disposed of.

(Anjani Kumar Sharan, J)

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