

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10755 of 2023

Arising Out of PS. Case No.-561 Year-2021 Thana- MUFFASIL District- West Champaran

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MOHIT KUMAR MISHRA S/O NARMADESHWAR MISHRA R/o- I.T.I.
Colony Road No. 04, P.S.- Bettiah, Muffasil, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. SANJAY NATH TIWARI S/O LATE BIRENDRA NATH TIWARI R/o- Mahadev Nagar, Banuchapar, P.S.- Banu Chapar O.P., District- West Champaran
3. NEHA KUMARI W/O MOHIT KUMAR D/O SANJAY NATH TIWARI R/o- Mahadev Nagar, Banuchapar, P.S.- Banu Chapar O.P., District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binay Kant Mani Tripathi, Adv.
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard learned counsel for the for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498 (A), 504, 506,
379 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

Petitioner, who is husband of the informant's daughter, is
said to have tortured her physically and mentally in association
of his family members over the dowry demand. They also
ousted her from the matrimonial home.

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 the informant's daughter out of her matrimonial home nor tormented her over the demand of dowry.

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 Bettiah Muffasil P.S. Case No. 561 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

Petitioner is ready to pay Rs. 3,000.00 (Rupees Three Thousand) per month to the informant's daughter in the second week of every month. If the petitioner 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 the petitioner.

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.



Learned Court below is directed to issue notice to informant for furnishing his daughter's bank account details. If he 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's daughter after he furnishes his daughter's bank account details.

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.

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

(Anjani Kumar Sharan, J)

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