

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12641 of 2023

Arising Out of PS. Case No.-314 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

Subodh Kumar Dubey @ Subodh Kumar Son Of Srikant Dubey R/O Vill.-
Champapur, P.S.- Ramgarhwa, Distt.- East Champaran. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Dhannjay Kumar No.2, Advocate
For the State	:	Mr. Dilip Kumar No.1, APP
For the Complainant	:	Mr. Bimlesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-07-2023 Perused the office notes.

2. Office has reported that interim Mediator's report has been received with prayer for extension of time, which is kept at Flag 'A'.

3. Learned counsel for the petitioner and learned counsel for the complainant, who are present before the Court, submitted that Mediation has failed and requested to hear this application on its own merit.

4. Heard learned counsel for the parties.

5. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A, 323 and 341 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

6. Petitioner, who is husband of complainant, is said to have ousted the complainant from her matrimonial home



in association of his family members over the dowry demand.

7. 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 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. 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**.

8. 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.314 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

9. Petitioner is ready to pay Rs.5,000.00 (Rupees Five Thousand) per month to complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount



on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

10. 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.

11. Learned counsel for the complainant is directed to make available the bank account details of complainant in the learned Court below.

12. 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.

13. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

