

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29384 of 2022

Arising Out of PS. Case No.-571 Year-2021 Thana- HARNAUT District- Nalanda

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Pankaj Kumar Son Of Jawahar Lal Singh R/O- B-2, Orange Pearl Apartment,
First Floor, Plot No.- 189, Kakrola, Near Pratibha School, N.S.I.T. Dwarka,
South West Delhi, Delhi-110078 Prmanent Resident Of Quarter No.- 1329,
Street-48, Sector- 8/D, Chirudih, Bokaro Steel City, P.O.- Sector-9, P.S.- Harla
Ix, District- Bokaro, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nutan Kumari Wife Of Pankaj Kumar, Daughter Of, Dhananjay Kumar R/O-
Sudha Sadan, Adarsh Nagar, P.S.- Harnaut, Dist.- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 23-01-2023 Heard learned counsel for the parties.

Learned counsel for the petitioner undertakes to
remove the defect, if any, within three weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A, 34
of the Indian Penal Code and Section 3/4 of the D.P. Act.

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.

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**.

However, the petitioner is ready to give Rs.5,000.00 (Rupees Five Thousand) per month as maintenance to opposite party no.2 in first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding. If the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, his bail bond shall automatically be cancelled.

Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks by submitting the same on affidavit before the learned court below.

In that view of the matter, let the above named petitioner, be released on anticipatory 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 Harnaut P.S. Case No. 571 of 2021, 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.

(Anjani Kumar Sharan, J)

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