

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29907 of 2023

Arising Out of PS. Case No.-1376 Year-2019 Thana- SARAN COMPLAINT CASE District-
Saran

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Raju Sah Son Of Solazim Sah Resident Of Village - Paiga Mitrasen, Police
Station - Bheldi, District - Saran

... .. Petitioner/s

Versus

1. The State Of Bihar, Patna
2. Laila Begum Wife Of Raju Sah Resident Of Village - Paiga Mitrasen, Police
Station - Bheldi, District - Saran, At Present Resident Of Village - Bhithi,
Sahabuddin, Police Station - Baniyapur, District - Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sanjay Kumar Jha
For the Opposite Party/s :	Mr. Md. Matloob Rab
For the Opposite Party/s:	Mr. Ankit Kumar Singh
	Mr. Divit Vinod

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-09-2023 Heard learned counsel for the parties.

2. This case is listed under the heading ‘for order
on office notes’ but the opposite party no. 2 has appeared in this
case, therefore, the case is disposed of on merit with the consent
of both the parties.

3. Learned counsel for the petitioner is permitted to
make necessary correction in para-1 of the bail petition.

4. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A,
406, 323, 504, 420, 379 of the Indian Penal Code and Section ³/₄
of the D.P. Act.

5. 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.

6. 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 submits that the petitioner is ready to settle the dispute with his wife. 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**. 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 P.S. Case No. 1376 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

7. Petitioner is ready to pay Rs.3,000/- (Rupees



Three Thousand) per month to opposite party no.2 in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

8. 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.

9. Learned counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 within a period of two weeks by submitting affidavit of the same before the learned Court Below.

10. 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.

11. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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