

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31290 of 2022

Arising Out of PS. Case No.-1052 Year-2021 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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LALAN KUMAR Son of Dinesh Sah Resident of Village - Kachor, P.S. -
Kanhauli, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anjali Kumari Wife of - Lalan Kumar Resident of Village - Kachor, P.S. -
Kanhauli, District - Sitamarhi at present Daughter of - sunil Kumar, village -
Dhodhani, P.S. - Parsauni, District - Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Birendra Kumar, Advocate
For the State	:	Md. Iftexhar Mahmood, APP
For O.P. No.2	:	Mr. Ashok Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-04-2023 At the outset, learned counsel for the petitioner paid

Rs.10,000/- cash by way of gratis to the learned counsel

appearing on behalf of O.P. No.2 in Court.

Learned counsel for O.P. No.2 received the amount

and submitted that he will give the same to O.P. No.2.

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case

registered for the offences punishable under Section 498A and

323 of the Indian Penal Code.

Petitioner, who is husband of opposite party no.2, 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*.

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. C-1-1052 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Petitioner is ready to pay Rs.4000/- (rupees four



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 cancellation of 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 counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 in the learned court below.

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 Centre for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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