

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38459 of 2022**

Arising Out of PS. Case No.-38 Year-2022 Thana- DIGHWARA District- Saran

RAJNISH KUMAR SAH SON OF OM PRAKASH SAH R/O VILLAGE-  
NIJAMCHAK, P.S.- DIGHWARA, DISTRICT- SARAN

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. MADHU KUMARI W/O RAJNISH KUMAR SAH R/O VILLAGE-  
NIZAMCHAK, P.S.- DIGHWARA, DISTRICT- SARAN

... .. Opposite Party/s

**Appearance :**

|                            |                            |
|----------------------------|----------------------------|
| For the Petitioner/s :     | Mr. Nalin Kumar            |
| For the Opposite Party/s : | Mr. Anuj Kumar Shrivastava |
|                            | Mr. Shakti Suman Kumar     |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

6      18-09-2023              Heard learned counsel for the for the petitioner, learned  
counsel for the O.P. No.2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Section 498A and  
other allied Sections of the Indian Penal Code.

3. Petitioner, who is husband of informant, is said to have  
ousted her from the matrimonial home in association of his  
family members over the dowry demand.

4. 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. 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**.

5. 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 Dighwara P.S. Case No.38 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. Petitioner is ready to pay Rs.10,000.00 (Rupees Ten Thousand) per month to the informant 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.

7. 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.



8. Learned Court below is directed to furnish the bank account details of the informant in the learned Court below, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details.

9. 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.

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

**(Anjani Kumar Sharan, J)**

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