

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41111 of 2022**

Arising Out of PS. Case No.-6 Year-2022 Thana- MAHILA PS District- Jehanabad

MANISH KUMAR ROY Son of Binod Pandey @ Binod Kumar Pandey  
Resident of Mohalla at Gola Building, Tapwan Colony Near Big Bazar, KG  
Ashram Sarai Dhela Rani Niwas, P.S.- Dhanbad, Dist.- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rakhi Kumari Resident of Village - Samhariya, P.S.- Kaler, Dist.- Arwal.

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 41485 of 2022**

Arising Out of PS. Case No.-6 Year-2022 Thana- MAHILA PS District- Jehanabad

1. BINOD PANDEY @ BINOD KUMAR PANDEY Son of Soryamohan Chaudhary Resident of Village - At Gol Building , Tapwan Colony Near Big Bazar, KG Ashram, Sarai Dhela Rani Niwas , P.s.- Dhanbad, Distt.- Dhanbad.
2. RANI DEVI W/o Bnod Pandey @ Binod Kumar Pandey Resident of Village - At Gol Building , Tapwan Colony Near Big Bazar, KG Ashram, Sarai Dhela Rani Niwas , P.s.- Dhanbad, Distt.- Dhanbad.
3. SONU ROY@ SONU KUMAR ROY Son of Binod Pandey @ Binod Kumar Pandey Resident of Village - At Gol Building , Tapwan Colony Near Big Bazar, KG Ashram, Sarai Dhela Rani Niwas , P.s.- Dhanbad, Distt.- Dhanbad.
4. SANJANA HAZARI @ SANJANI DEVI W/o Ravi Hazari @ Ravi Kant Hazari Resident of Village - Tilatarh, P.s.- Katras, Distt.- Dhanbad.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rakhi Kumari not mention Resident of Village - Samhariya , P.s.- Kaler, Distt.- Arwal.

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 41111 of 2022)

For the Petitioner : Mr. Chandra Mohan Jha, Advocate

For the State : Mr. Gauri Shankar Gupta, APP

For O.P. No.2 : Mr. Anurag Saurav, Advocate

(In CRIMINAL MISCELLANEOUS No. 41485 of 2022)

For the Petitioners : Mr. Chandra Mohan Jha, Advocate



For the State : Mr. Mukesh Kumar Singh, APP  
For O.P. No.2 : Mr. Anurag Saurav, Advocate

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

3      15-05-2023                      Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 504, 506, 498(A) and 34 of the Indian Penal Code as well as Sections 3/4 of the Dowry Prohibition Act.

Petitioner, namely, Manish Kumar Roy (petitioner of Cr. Misc. No.41111 of 2022), 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 petitioners that the petitioners are innocent persons and have committed no offence. Petitioners have neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. The petitioners have 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 petitioners, be released on bail, in the event of their arrest or



surrender before the learned court below within a period of six weeks from today, on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each 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 Mahila P.S. Case No.6 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Petitioner of Cr. Misc. No.41111 of 2022, namely, Manish Kumar Roy is ready to pay Rs.5,000/- (rupees five thousand) per month to opposite party no.2 in the second week of every month. If petitioner, Manish Kumar Roy 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, Manish Kumar Roy.

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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