

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43336 of 2022

Arising Out of PS. Case No.-19 Year-2021 Thana- MAHILA PS District- Jehanabad

Chandan Kumar @ Dharendra Kumar Son Of Sri Ramashish Singh R/O Village And P.O. And P.S.- Kaler, District- Arwal At Present Residing At Mohalla- Priyadarshi Nagar, West Of D.P.S., P.O.- Danapur Cantt, P.S.- Rupaspur, District- Patna, Pin Code - 801503

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Kumari @ Premlata Kumari D/O Mahendra Prasad R/O Village- Rasulpur, P.O. And P.S.- Haspura, District- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-02-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498(A), 506 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

In compliance of the order dated 07.02.2023, both the parties are present in the Court. The petitioner has handed over a demand draft of Rs.5,00,000/- (Rupees Five lakhs) to the opposite party no.2, as per the compromise entered into between the parties, which is contained in Annexure-2 of the bail application.

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**. 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 Arwal Mahila Case No. 19 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Learned counsel for the opposite party no. 2 submits that some articles has left in the house of the petitioner including ornaments.

The petitioner is directed to hand over extra amount of Rs.50,000 (Rupees Fifty Thousand) to the opposite party no.2 and opposite party no. 2 is directed to appear in the family court where the divorce case is pending, so that as per their mutual



consent appropriate order may be passed.

The extra amount of Rs.50,000 (Rupees Fifty Thousand) will be paid by the petitioner to the opposite party no. 2 after passing of the final order in the aforesaid divorce case.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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