

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43856 of 2022

Arising Out of PS. Case No.-747 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

AMIT CHOUDHARY SON OF KALIKANT CHOUDHARY R/O
VILLAGE- SHAHPUR, P.S.- PANDAU, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. PURNIMA DEVI D/O JANNATH CHOUDHARY R/O VILLAGE-
SHAHPUR, P.S.- PANDAU, DISTRICT- MADHUBANI AT PRESENT
DAUGHTER OF JANNATH CHOUDHARY, SON OF LATE NIRAS
CHAUDHARY RESIDENT OF VILLAGE- HARPUR MAJRAHI, P.S.-
KALUAHAI, DISTRICT- MADHUBANI

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr.Ratanakar Jha, Adv.
For the Opposite Party/s :	Mr.Binod Kumar No.3, APP.
	Mr. Ravi Prakash, Adv.
	Mr. Gagan Deo Yadav, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-03-2023 Heard the parties.

Learned counsel for the petitioner is directed to remove the
defects within the four weeks.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Section 323, 341, 504, 498(A)/34
of the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

Petitioner, who is husband of complainant, is said to have
tortured upon her physically and mentally in association of his
family members over the dowry demand. They also ousted the
complainant from her matrimonial home.



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 further submits that petitioner is ready to pay Rs. 5,000/- per month to the Opposite Party No.2.

Learned APP for the State as well as learned counsel for the complainant opposed the bail application and further submitted that earlier the Family Court has directed the petitioner to pay Rs. 10,000/- per month to the Opposite Party No.2 but the petitioner has not given a single penny to Opposite Party No.2 up till now.

Petitioner is ready to pay Rs.5,000.00 (Rupees Five Thousand) per month to the complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

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 C.R. No. 747 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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 complainant is directed to furnish the bank account details of the complainant. If he fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant/complainant after she furnishes her bank account details.

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.

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

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

