

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52018 of 2023

Arising Out of PS. Case No.-3402 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Shashank S/O Dr. Shree Niwas R/O Gupta Market, P.O.- Anisabad, P.S.-
Gardanibagh, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Kumari W/O Shashank D/O Indar Rajak, R/O East Chitragupt Nagar,
Bank Mens Colony, Road No. 2, Kankarbagh, P.S.- Patrakarnagar, Distt.-
Patna, Bihar- 800020

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr. Vishal Vikram Rana, Adv. Ms. Misha Bharti, Adv. Ms. Ananya Shivani, Adv. Mr. Aditya Singh, Adv.
For the State	:	Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-12-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. 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.

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. However, the petitioner is ready to give Rs.20,000.00 (Rupees Twenty Thousand) per month to opposite party no.2 in first week of every month as stated in the supplementary affidavit filed by the leaned counsel for the petitioner on 13.12.2023. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding. If the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, his bail bond shall automatically be cancelled.

6. Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks by submitting the same on affidavit before the learned court below.

7. In that view of the matter, let the above named



petitioner, be released on anticipatory 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. 3402(c)/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

8. 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.

(Anjani Kumar Sharan, J)

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