

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50083 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Golu Kumar Son Of Raj Kumar Ram Residents Of Village- Daldali Chak
(Chakmuni) Police Station- Nargausa District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari Daughter Of Shankar Ram Resident Of Village- Pilkhi, Ps-
Khudaganj, Distt- Nalanda

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50498 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

- =====
1. Santosh Ram Son Of Raj Kumar Ram Residents Of Village- Daldali Chak
(Chakmuni)Police Station -Nargausa District -Nalanda
 2. Raj Kumar Ram Son Of Late Basu Ram Residents Of Village- Daldali Chak
(Chakmuni)Police Station -Nargausa District -Nalanda
 3. Shanti Devi Wife Of Raj Kumar Ram Residents Of Village- Daldali Chak
(Chakmuni)Police Station -Nargausa District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 50083 of 2023)

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Informant : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 50498 of 2023)

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Informant : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-10-2023 As both these applications arise from same P.S. case



number. Hence, with consent of parties, heard together and disposed off by this common order.

2. Heard learned counsel for the parties.

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

4. Petitioner, namely, Golu Kumar of Cr. Misc. No. 50083 of 2023, who is husband of the complainant, petitioner no.1, namely, Santosh Ram of Cr. Misc. No.50498 of 2023 who is brother-in-law (Bhaisur), petitioner no.2, namely, Raj Kumar Ram, who is father-in-law and petitioner no.3, namely, Shanti Devi, who is mother-in-law are said to have ousted the complainant/opposite party no.2 from her matrimonial home in association of her family member over the dowry demand.

5. It is submitted by learned counsel for the petitioners that the petitioners are an innocent person 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**.

6. 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 bond 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 Complaint Case No.202 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

7. Petitioner, namely, Golu Kumar of Cr. Misc. No. 50083 of 2023, who is husband of the complainant/opposite party no.2 is ready to pay Rs.3000.00 (Rupees Three Thousand) per month to opposite party no.2 in the second week of every month. If the petitioner, Golu Kumar of Cr. Misc. No. 50083 of 2023, 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 cancelling the bail bond of the petitioner No.1, namely, Golu Kumar.

8. 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.



9. 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.

10. 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.

11. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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