

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48990 of 2022

Arising Out of PS. Case No.-224 Year-2021 Thana- CHAPRA TOWN District- Saran

Shaleen Prasad Son Of Shri Sharda Prasad Resident Of Village - Bunglow
No.A-51, Sector 50, P.S.- Kotwali , Sector 49, Police Commissionarate,
Gautam Budha Nagar Noida (Uttar Pradesh)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Neha Shankar D/o Dr. Sunil Shankar, W/o Dr. Shaleen Prasad Resident
of Village - Shiv Parvati Niketan, Bihari Lane, Salempur, P.s.- Nagar, Distt.-
Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kaushal Kumar, Adv.
For the opposite party no. 2	Dr. Rajesh Kumar Singh, Adv.
	Mr. A.K. Bhaskar, Adv.
	Mr. S.K. Jha, Adv.
For the Opposite Party/s :	Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-03-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A, 34,
406 of the Indian Penal Code.

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.

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 is still ready to keep her with full honour and dignity. 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**.

However, the petitioner is ready to give Rs. 30,000.00 (Rupees Thirty Thousand) per month as maintenance to opposite party no.2 in first week of every month. 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.

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.

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 Chapra Town P.S. Case No. 224 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

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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