

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51006 of 2023

Arising Out of PS. Case No.-23 Year-2021 Thana- DHANGAI District- Bhojpur

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Dhanu Chaudhary @ Dhanu Bind Son of Manohar Chaudhary Resident of
Village - Dalippur, Police Station - Dhangai, District - Bhojpur

... .. Petitioner

Versus

1. The State of Bihar
2. Gita Devi, Daughter of Late Rupchandra Choudhary, Resident of Village -
Cheedi Tola, Police Station - Piro, District - Bhojpur

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the O.P. No. 2	:	Mr. R.N. Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
counsel for the O.P. No. 2 as also learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Dhangai P.S. Case No. 23 of 2021 registered
for the offences punishable under Sections 341, 323, 379, 498(A),
504 and 506/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act. The petitioner has no criminal antecedent.

3. As per the prosecution story, the informant-O.P. No. 2
got married to the petitioner on 11.06.2015 and after marriage a girl
child was born. It is alleged that the petitioner and his family
members tortured her due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner as well as learned
counsel for the informant-O.P. NO. 2 agree that this case being a case
of matrimonial dispute and the parties have got a minor child also,



one effort is required to be taken to conduct a mediation to arrive at an amicable solution.

5. Learned counsel for the petitioner has, at this stage, submitted that to show his bonafides, the petitioner is ready to pay a sum of Rs.3,000/- per month for the present, subject to any other order which may be passed by the competent court in an appropriate proceeding.

6. Learned counsel for the informant-O.P. No. 2 agrees that subject to the aforesaid offer being made by the petitioner to be complied with, this Court may grant privilege of anticipatory bail to the petitioner in the best interest of the petitioner and his wife.

7. Having regard to the submissions noted hereinabove and the offer made by the petitioner to pay a sum of Rs.3,000/- per month for the present and that the informant-O.P. No. 2 has no objection to grant of anticipatory bail on such condition, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Dhangai P.S. Case No. 23 of 2021 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 Sub-Divisional Judicial Magistrate, Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is



found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. And further condition that in terms of his own offer, the petitioner shall pay a sum of Rs.3,000/- (Rupees Three Thousand Only/-) per month within first ten days of every month in the account of the informant-O.P. No. 2, subject to any other order which may be passed by a competent court in an appropriate proceeding. Breach of this condition shall invite action towards cancellation of bail bond of the petitioner.

10. This Court further directs the learned court below to send the records of the case to the Mediation Centre attached to the District Court where both the parties shall be called and efforts shall be taken for amicable resolution of the disputes.

11. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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