

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51467 of 2023

Arising Out of PS. Case No.-770 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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MANISH KUMAR MAHTO @ MANISH KUMAR SON OF MANOJ
MAHTO RESIDENT OF VILLAGE -MOTILAL BESHAKHA WARI NO
31, PS -PHULBAGAN, DISTRICT -KOLKATA, WEST BENGAL

... .. Petitioner/s

Versus

1. The State of Bihar
2. SONAM KUMARI @ RAKHI KUMARA WIFE OF MANISH KUMAR
MATHO RESIDENT OF VILLAGE- CHHOTI LINE FATUA, PS- FATUA,
DIST- PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Bindeshwar Prasad Singh, Adv.
For the Opposite Party/s :	Mr.Bharat Lal, APP.
	Mr. Abhishek Anand, Adv.
	Ms. Sushmita Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A) of
the Indian Penal Code.

3. Petitioner, who is husband of complainant, is said to
have tortured upon the complainant physically and mentally in
association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioner
that petitioner is an innocent person and has committed no



offence. Petitioner has neither made any dowry demand 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**.

5. 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 Complain Case No. 770 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. 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.

7. 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.

8. Learned counsel for the complainant is directed to furnish the complainant's bank account details. If she fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the complainant after she furnishes the complainant's bank account details.

9. 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.

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

(Anjani Kumar Sharan, J)

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