

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51903 of 2023**

Arising Out of PS. Case No.-1346 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C  
District- Kaimur (Bhabua)

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BUCHAN PANDEY @ BUCHCHAN PANDEY Son of Motilal Pandey  
Resident of village - Sarehuan, P.S. - Sakaldiha, Distt. - Chandauli (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari Wife of Buchchan Pandey, D/o Sanjay Tiwari Resident of vill  
- Sarehuan, P.S. - Sakaldihan, Distt. - Chandauli (U.P.)

... .. Opposite Party/s

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**Appearance :**

|                            |                                 |
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| For the Petitioner/s :     | Mr.Rajani Kant Pandey, Adv.     |
| For the Opposite Party/s : | Mr.Mritunjay Kumar Nirala, APP. |
|                            | Mr. Saroj Kumar Sharma, Adv.    |
|                            | Ms. Kiran Kumari Sharma, Adv.   |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      12-09-2023              Heard learned counsel for the for the petitioner, learned  
APP for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 498A/323  
of the Indian Penal Code and Section 3/4 of the Dowry  
Prohibition Act.

3. Petitioner, who is husband of complainant, is said to  
have tortured her physically and mentally and ousted her from  
the 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.

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 Complaint Case No. 1346 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. Petitioner is ready to pay Rs. 3,000.00 (Rupees Three 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 bank account details of the complainant. 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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