

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51866 of 2022

Arising Out of PS. Case No.-2866 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Ashutosh Srivastava @ Ashutosh S/O Anil Kumar Resident Of 118 Ramjaipal
Road, Arpna Bank Colony, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sakshi W/O Ashutosh Srivastava, D/O Ashok Kashyap Resident Of J.F. 1/
58 Block- 5 No- 10 Near Durga Mandir, Rajendra Nagar, P.S.- Kadam Kuan,
District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajanan Mishra
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-03-2023 Heard learned counsel for the parties.

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

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.10,000.00 (Rupees Ten 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.

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 Complaint Case No. 2866 (C) 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.

Learned court below is directed to issued notice to the informant/complainant for furnishing her bank account details. If she fails to furnish her bank account details the aforesaid amount will be deposited before the learned court below which will be released in favour of the informant/complainant after the informant/complainant furnishes her bank account details.

(Anjani Kumar Sharan, J)

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