

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53001 of 2023

Arising Out of PS. Case No.-2931 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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HIMANSHU KUMAR S/O RAVINDRA SINGH RESIDENT OF VILLAGE-
MURARPUR, P.S- HARSIDHI, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

1. The State of Bihar
2. KUMARI SULEKHA D/O ANIRUDH SINGH R/O VILLAGE-
MISHRGRAM, P.S- SANGRAMPUR, DISTT.- EAST CHAMPARAN.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Abhay Kumar, APP.

Mr. Madhurendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2023 Heard learned counsels for the parties.

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

3. Petitioner, who is husband of complainant, is said to have tortured upon 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. Prior to the present case, the petitioner filed Matrimonial Case No. 309 of 2022 for divorce in the Court of learned Principal Judge, Family Court, Motihari, East Champaran. Petitioner has no criminal antecedent.

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. C-2931 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 he 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 he furnishes the bank account details of the complainant.

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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