

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5052 of 2023

Arising Out of PS. Case No.-1645 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

SATYA PRAKASH SINGH Son of Rameshwar Singh @ Rameshwar Prasad Singh Resident of Village- Badaharwa Lakhansen, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Puja Kumari Wife of Satyaprakash Singh, D/O Ranbahadur Singh Resident of Village- Amar Chhatauni, Asman Rai Tola, P.S.- Chhatauni, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Y.C. Verma, Senior Advocate Ms. Priyanka Singh, Advocate
For the State	:	Mr. Nand Kumar, APP
For O.P. No.2	:	Mr. Vijay Shankar Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 04-07-2023 Heard Mr. Y.C. Verma, learned Senior Counsel assisted by Ms. Priyanka Singh for the petitioner, learned APP for the State as well as learned counsel appearing on behalf of O.P. No.2.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 498-A, 307, 406 and 34 of the Indian Penal Code and Sections 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 drover her out of her matrimonial home nor tormented her over the demand of dowry. 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*.

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.1645 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Petitioner is ready to pay Rs.5,000/- (rupees five thousand) per month to opposite party no.2 in the second week of every month. If the petitioner fails to pay the aforesaid



amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned court below for cancellation of bail bond of the petitioner.

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.

Learned counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 in the learned court below.

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 Centre for the purpose of reconciliation or for one time settlement.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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