

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6703 of 2024

Arising Out of PS. Case No.-320 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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Manjesh Kumar Son of Nanhku Chaudhary R/o vill - Mau, P.O. - Mau, P.S. -
Tekari, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Kumar W/o Manjesh Kumar, D/o Sadhu Sharan Chaudhary Presently
Residing at her parental Vill - Gulani, P.s. - Gurua, Distt. - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Singh, Advocate
For the O.P. No.2	:	Mr. Sanjay Kumar Sharma, Advocate
For the State	:	Mr. Md. Iftexhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 18-09-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 323 and 379/34 of the Indian Penal Code and Section ³/₄ of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

4. Vide order dated 06.05.2024, the matter was referred to the Mediation and Conciliation Center of the Patna High Court to amicably resolve the dispute between the parties.



The learned Mediator has submitted its report dated 21.06.2024, in which it is clearly stated that in spite of best and sincere efforts, the dispute between the parties could not be resolved through the process of mediation. Hence, mediation failed.

5. Learned counsel for the opposite party no.2 submits that petitioner is not paying Rs.5,000/- per month as ordered by learned Principal Judge, Family Court, Gaya in Maintenance Case No.117 of 2019 vide order dated 07.12.2023.

6. Petitioner is directed to pay Rs.5,000/- per month to opposite party no.2 as also the arrears of amount, if any, within a period of two months.

7. 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.320 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



8. If the petitioner fails to pay the amount as aforesaid within two months, the opposite party no.2 would be at liberty to move an application for cancelling the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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