

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6275 of 2024

Arising Out of PS. Case No.-916 Year-2022 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Amit Kumar Srivastava Son Of Suresh Kumar Srivastava R/O- Sidharipur
Surajkund P.S -TIWARIPUR Dist. -GORAKHPUR U.P

... .. Petitioner/S

Versus

1. The State of Bihar
2. Anamika Verma Daughter of Sri Arun Kumar R/O- Sidharipur Surajkund
P.S -TIWARIPUR Dist. -GORAKHPUR U.P Presently Residing At Sikari
Road, Near Mithila Flour Mills, Old Nh 57, Gangwana, Darbhanga, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Avanindra Kumar Jha, Advocate
	:	Mr. Ram Naresh Jha, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP
For the Complainant	:	Mr. Baidya Nath Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 18-11-2024 Heard learned counsel 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 Section 498(A),
307/34 of the IPC and 3/4 of the D.P. Act.

3. Petitioner, who is husband of complainant, is said to
have assaulted the complainant on her denial of taking wine and
after treatment she was dropped in Darbhanga bound bus. It is
further alleged that after taking 20 lakhs as gift from
complainant, he further demanded ₹ 4 lakh from complainant.

4. It is submitted by learned counsel for the petitioner
that the petitioner is an innocent person and has committed no



offence. Complainant herself has disserted the petitioner and left the family of the petitioner for no valid reasons and reasons given in this case is completely false, baseless and misleading. 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**.

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. 916(C) 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.5,000.00 (Rupees Five 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 in the learned Court below. 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 her 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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