

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12024 of 2024

Arising Out of PS. Case No.-1000 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Kishore Kunal S/O Narender Dev R/O- House No. 29, A-Block, Ishwar Colony, Arjun Park, Ps.- Najafgarh, South West Delhi, Delhi-110043 And Permanent R/O Village And Post- Khadaow Kala, Ps.- Sahar, Dist.- Bhojpur, Ara.

... .. Petitioner/S

Versus

1. The State of Bihar
2. Shivani Kumari D/O Sanjay Kumar @ Sanjay Kumar Singh R/O Village-Dhimoy, Ps.- Harnaut, Post- Gopalpur, Chauria, Nalanda, Bihar-803110.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Somesh Kumar, Advocate
For the State	:	Mr. Rana Randhir Singh, APP
For the Complainant	:	Mr. Hansraj, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 09-12-2024 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)/34 of the IPC and Section 4 of D.P. Act.

3. Petitioner, who is husband of complainant, is said to have tortured and ousted her from the matrimonial home in association of his family members over the dowry demand of a four-wheeler.

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. Complainant used to come late at night and sometimes in drunken state and when petitioner objected, she ignored the words of the petitioner and this is the reason, she always forced petitioner to leave his mother and father. On 06.10.2022, complainant permanently left the matrimonial home herself without any cause and excuse. Petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

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. 1000(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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