

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19140 of 2023

Arising Out of PS. Case No.-67 Year-2021 Thana- GAYA COMPLAINT CASE District-
Gaya

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Balram Paswan Son of Uday Paswan R/O Village- Bedauli, P.S.- Imamganj,
District- Gaya

... .. Petitioner/S

Versus

1. The State of Bihar
2. Kanchan Kumari Wife of Balram Paswan, D/O Suresh Paswan R/A Village-
Beduali, P.S.- Imamganj, District- Gaya, At Present R/A Rc Kala, P.S.-
Gurua, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Pratap Singh, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP
For the Complainant	:	Mr. Sujeet Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-12-2024 Heard learned counsel for the 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 323, 498(A)/34 of the
Indian Penal Code.

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 gold chain and
Rs. 1,00,000/-. It is further alleged that they tried to kill her by
pouring kerosene oil and burnt matchstick but somehow she was
saved with the help of nearby people.

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 is in habit of fleeing away without informing the family members and due to which altercation took place between them. Complainant also does not co-operate in domestic work and used to misbehave with the family members of the petitioner. Petitioner 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. 67 of 2021, 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 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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