

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20921 of 2023

Arising Out of PS. Case No.-296 Year-2020 Thana- KALYANPUR District- East Champaran

ANIL DAS @ ANIL KUMAR DAS S/O BHARAT DAS Resident of Village-
Pakadi Dixit, P.S.- Kalyanpur, District- Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. BABITA DEVI D/O DEVNANDAN DAS Resident of Village- Bakhri Tola
Purainiya, P.S.- Kalyanpur, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP
For the O.P. No.2	:	Mr. Binod Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 08-05-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

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. 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 Kalyanpur P.S. Case No.296 of 2020, 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 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 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 Court below is directed to issue notice to opposite party no.2 for furnishing her bank account details. 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 opposite party no.2 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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