

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25824 of 2024

Arising Out of PS. Case No.-577 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Vikash Kumar Son of Jathu Singh Resident of Village - Hasanpur Surat, P.S. -
Patori, District - Samastipur

... .. Petitioner/S

Versus

1. The State of Bihar
2. Suman Kumari Daughter of Late Kripasindhu Pandey Resident Of Village -
Mau, Dhaneshpur Uttar, Ward No. 05, P.S. - Vidyapatinagar, District -
Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Ajay Kumar No. 2., APP
For the O.P. No. 2	:	Mr. Rikesh Kumar, Advocate Mr. Rakesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-12-2024 Heard learned counsel for the for the petitioner, learned
APP for the State and learned counsel for the O.P. No. 2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 498(A), 406, 504/34 of the IPC and 3/4 of D.P. Act.

3. Petitioner, who is husband of O.P. No. 2, is said to have tortured and ousted her from the matrimonial home in association of his family members over the dowry demand of one pulsar motorcycle and two lakh rupees.

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. Petitioner is living in the joint family but informant is not ready to live in joint family and she is habitual to visit her *naihar* and when petitioner objected, he has been falsely implicated in the present case. 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 Patori P.S. Case No. 577 of 2023, 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 O.P. No. 2 in the second week of every month. If the petitioner fails to pay the aforesaid amount



on two consecutive months, O.P. 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 counsel for the O.P. No. 2 is directed to furnish the bank account details of the O.P. No. 2 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 O.P. 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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