

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37904 of 2024

Arising Out of PS. Case No.-3236 Year-2022 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Pankaj Kumar S/O BRAJ MOHAN SAH R/O MOHALLA- Bakarpur, P.S.-
RAJAPAKAR, DIST- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Ms. Pooja Arya, Adv.
For the Opposite Party/s :	Mr. Md. Mushtaque Alam, APP.
	Mr. Awadhesh Kumar Singh, Adv.
	Ms. Shyama Rani, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-11-2024 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 Sections 341, 323, 498A, 452, 380 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of complainant, is said to have tortured upon her physically and mentally and ousted her along with her two sons 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. He has falsely been implicated in the present case due



to ulterior motive. He has neither made any dowry demand nor drove the complainant out of her matrimonial home nor tormented her over the demand of dowry. All the allegation levelled against the petitioner is totally false and based on concocted facts. The instant case is nothing but a counter blast to the matrimonial petition filed by the petitioner against the complainant. Learned counsel further submits that petitioner 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. 3236 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. 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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