

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40671 of 2024

Arising Out of PS. Case No.-337 Year-2014 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Jai Prakash @ Monu Son of Praduman Singh R/O Vill.- Sital Bhakurahar,
P.S.- Sarai, Dist.- Vaishali Petitioner/s

Versus

1. The State Of Bihar Patna
2. Archana W/O Jai Prakash D/O Niranjana Prasad Singh C/O R.K. Singh. At
Present R/O Mohalla- Anand Bihar Colony, Aghoriya Bazar, P.O.- Kazi
Mohammadpur, Dist.- Muzaffarpur Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Bipin Chandra, Advocate
For the State	:	Mr. Pronoti Singh, APP
For the Informant	:	Ms. Shashi Priya, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-11-2024 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 324, 328, 327, 307, 504, 506, 498(A) of the IPC and 3/4 of D.P. Act.

3. Petitioner, who is husband of complainant, is said to have abused and tortured her in association of his family members over the dowry demand. They also threatened the informant and her family that they will abduct them and commit their murder.

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. It is also submitted that informant was mentally disturbed and she was under treatment of psychiatrist. Informant herself left her matrimonial house without informing anyone. He 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 Kazi Mohammadpur P.S. Case No. 337 of 2014, 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 informant in the second week of every month. If the petitioner fails to pay the aforesaid amount



on two consecutive months, informant 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 informant is directed to furnish the bank account details of the informant 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 informant 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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