

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41387 of 2024

Arising Out of PS. Case No.-252 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

Sachit Chauhan @Sachit Kumar Chauhan S/O Ramashish Chouhan Resident of 16 BT Road, North Parganas, Titagarh(M), P.S. Titagarh, North 24 parganas, West Bengal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Kumar W/O Sachit Chouhan R/O Village Pipra, P.S. Umta Ghurari, Dharnai (O.P) Distt-Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Alok Kumar Jha, Adv.
For the Opposite Party/s :	Mr. Dilip Kumar No.1, APP.
	Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-12-2024 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 Sections 498(A)/34 of the Indian Penal.

3. Petitioner, who is husband of informant, is said to have tortured upon her physically and mentally and 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. No such occurrence as alleged has ever taken place.



He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. He has neither made any dowry demand nor drove the informant out of her matrimonial home nor tormented her over the demand of dowry. The real fact of the matter is that the informant herself left her matrimonial house without any coercion and thereafter lodge an FIR to implicate the petitioner and his family members in order to mount undue pressure upon them. It is further submitted that petitioner had filed a matrimonial case bearing Matrimonial Suit No. 1917 of 2021 under the Hindu Marriage Act against the informant in which ex-parte decree has been passed in favour of the petitioner vide order dated 15.09.2022. Learned counsel further submits that petitioner has 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



Makhdumpur Umta Dharnai (O.P.) P.S. Case No. 252 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 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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