

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42491 of 2024

Arising Out of PS. Case No.-1167 Year-2023 Thana- SIWAN COMPLAINT CASE District-
Siwan

Banktेशwar Pathak @ Vikash Pathak S/o Late Subash Pathak @ Subhash
Pathak R/o Vill - Darauli, P.S. - Darauli, Dist – Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Varsha Tiwari @ Varsha Kumari W/o Banktेशwar Pathak @ Vikash Pathak
D/o Manoranjan Tiwari, At Present R/o Botaur, P.O.-Jaijor, P.S.-Andar,
District-Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Prakash Singh, Advocate.
For the State	:	Mr. Kumar Veerendra Narayan, APP.
For the O.P. No.2	:	Mr. Rakesh Mohan Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehend his arrest in connection
with Complaint Case No.1167 of 2023 instituted under Sections
323 and 498(A) of the Indian Penal Code and under Section 3/4
of D.P. Act.

3. As per the prosecution case, the marriage of the
complainant was solemnized with the petitioner on 29.11.2021
according to Hindu rites and rituals. It is alleged that after one
month of marriage petitioner started torturing for fulfillment of
dowry demand.



4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner is ready to keep his wife/complainant but the complainant herself does not want to live with the petitioner, however, petitioner undertakes to make the payment of Rs.5,000/- per month to the complainant for her maintenance. Learned counsel submits that petitioner has no criminal antecedent and he undertakes to cooperate in the trial of the case.

5. Learned counsel for the opposite party no.2/ complainant accepted the undertaking made by the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Judicial Magistrate, 1st Class, Siwan in connection with Complaint Case No.1167 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioner shall pay the amount of Rs.5,000/-



per month in the bank account of complainant and the complainant shall provide the bank account number to the petitioner.

8. If both the parties want to reconcile, the learned Trial Court may take steps for further mediation/conciliation between the parties.

(Sunil Dutta Mishra, J)

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