

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54084 of 2023

Arising Out of PS. Case No.-5498 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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ASHISH KUMAR SINHA Son of Arbind Kumar Resident of House No. 80,
L.I.C Colony, Kankarbagh, P.s. - Patrakar Nagar, Dist. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Minu Sinha Wife of Ashish Kumar Sinha, D/o Sri Vijay Kumar Sinha At
Present residing at Mohalla - Vijay Nagar (Hanuman Nagar) House No. G
19, P.s. - Patrakar Nagar, Distt. - Patna, Pin code - 800020

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv Mr. Ankit Raj, Adv
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey, APP
For the Complainant	:	Mr. Nafisuzzoha, Adv

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-01-2024 Heard learned Senior Counsel for the for the

petitioner, learned counsel for the complainant and learned APP

for the State.

2. Earlier, vide order dated 06.09.2023, this matter was
sent to the Mediation Centre, Patna High Court for the process
of settlement between the parties but the learned Mediator has
stated in his report that the dispute between the parties could
not get resolved through the process of Mediation.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 323, 341,
406, 498A, 34 of the Indian Penal Code and Section 3/4 of the



Dowry Prohibition Act.

4. Petitioner, who is husband of complainant, is said to have assaulted her and also ousted her from the matrimonial home in association of his family members over the dowry demand.

5. It is submitted by learned Senior 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. He further submits that the complainant had filed a maintenance case, which is also pending in the learned Court below and the petitioner is already paying Rs.10,000/- to the O.P No.2 as maintenance. Petitioner has no criminal antecedent.

6. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail. It is submitted by learned counsel for the complainant that the complainant is ready to live with the petitioner but the petitioner has strictly denied to keep the complainant with him.

7. Having regard to the facts and circumstances of the case, 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.5498(C) of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

8. However, the petitioner or his lawyer is directed to appear before the learned Court below on each date of maintenance case. If the petitioner or his lawyer fails to appear on two consecutive dates, the complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

(Anjani Kumar Sharan, J)

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