

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54688 of 2023

Arising Out of PS. Case No.-1990 Year-2016 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Deepak Choudhary @ Chhotu Choudhary @ Chhotu S/O Shankar Choudhary
@ Shankar Chaudhary R/O Village- Indraprashth Colony, P.O. Munger, Ps.
Kashimpur, (KASHIM Bazar), Dist. Munger, Presently At Mohalla-
Puraniganj, Adarsh Nagar, Ps. Kashim Bazar, Dist. Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari W/O Deepak Choudhary @ Chhotu Choudhary @ Chhotu ,
D/O Raj Kumar Choudhary R/O Village- Raj Mahla, P.O. Shankh, Ps.
Muffasil, Dist. Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sandip Kumar Gautam
For the Opposite Party/s :	Mrs. Meena Singh
	Mr. Apurv Harsh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per the complaint petition, the prosecution case in short, is that there is allegation with respect to mental and physical torture of the complainant by the petitioner and in-laws for non-fulfillment of dowry demand. It is further alleged that petitioner sprinkled kerosine oil on the body of the complainant and other co-accused lit fire on her body.



4. Learned counsel for the petitioner submits 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 submits that the petitioner is still ready to keep the O.P. No. 2 with full honour and dignity and a statement to that effect categorically been made in paragraph-6 of the petition. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Petitioner is ready to pay Rs.3,000/- (Rupees Three Thousand) per month to opposite party no.2 in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

6. 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.

7. Learned counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 within a period of two weeks by submitting affidavit of the same before the learned Court Below.



8. 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.

9. The provisional bail granted to the petitioner vide order dated 19.09.2023 is hereby confirmed.

10. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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