

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67772 of 2023

Arising Out of PS. Case No.-66 Year-2020 Thana- BUXAR COMPLAINT CASE District-
Buxar

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RISHIKESH PATWA @ RISHIKESH KUMAR S/o Pannalal Patwa @
Pannalal Prasad Resident of Azad Nagar Ward No. 12, Chitbaragaon, P.S.-
Chitbaragaon, District-Ballia (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. DURGA KUMARI @ RINKI W/o Rishikesh Pattwa Resident of Azad
Nagar Ward No. 12, Chitbaragaon, P.S. Chitbaragaon, District Ballia (U.P.).
At present D/O Vishwanath Patwa, Nalband Toli Buxar Ward No. 26, P.S.-
Buxar, District Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 66 ©/2020 registered for the offences
punishable under Sections 341, 323, 406/34, 498(A) and 120(B)
of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

3. Petitioner, who is husband of opposite party no 2.,
is said to have ousted the opposite party no.2 from her
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. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. 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. However, the petitioner is ready to give Rs.3,000/- (Rupees Three Thousand) per month to opposite party no. 2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding. If the petitioner fails to give the aforesaid amount on three consecutive dates to opposite party no.2, his bail bond shall automatically be cancelled.

6. Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks by submitting the same on affidavit before the learned court below.

7. In that view of the matter, let the above named petitioner, be released on anticipatory 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 SDJM, Buxar where the case is pending/successor Court in connection with Complaint Case No. 66 ©/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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