

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59094 of 2023

Arising Out of PS. Case No.-489 Year-2022 Thana- PALIGANJ District- Patna

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MOHIT TIWARI @ MOHIT MURARI SON OF TRILOKI NATH TIWARI
RESIDENT OF VILLAGE - BABU CHOWK MILKI, P.S. - PALIGANJ,
DISTRICT - PATNA. PRESENTLY RESIDING AT 54/CFF, FIRST FLOOR,
PANDAV NAGAR, PATEL NAGAR, CENTRAL DELHI - 110008

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Singh, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP.
Mr. Deepak Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-01-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 354, 498(A), 504, 34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. Allegedly, all the accused persons including the petitioner are said to have tortured upon the informant physically and mentally 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



tormented her over the demand of dowry. The allegation levelled against the petitioner is totally false and based on concocted facts. The alleged occurrence was taken place in absence of the petitioner. The informant has lodged the false case against the petitioner merely with a view to make pressure upon him to keep her wife with him at Delhi. Prior to the present case, a case i.e. Matrimonial Case No. 1090 of 2022 has already been filed by the petitioner.

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 Paliganj P.S. Case No. 489 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.5,000.00 (Rupees Five 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. 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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