

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63734 of 2024

Arising Out of PS. Case No.-348 Year-2022 Thana- COMPLAINT CASE District- Lakhisarai

Raju Mistri S/O Suresh Mistri Resident of Village- Telar, P.S- Chandraip,
Distt.- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bebi Devi D/o Krishnadeo Sharma, W/o Raju Mistri Resident of Village-
Jhinaura, P.S.-Tetarhat, District-Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-10-2024 Heard Mr. Amrendra Kumar, learned counsel for the for
the petitioner and Mr. Dilip Kumar No.1, learned APP for the
State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341,
323, 498(A), 504, 506, 34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of complainant, is said to
have tortured upon her physically and mentally and ousted her
from the matrimonial home in association of his family
members over the dowry demand. He has also solemnized his



second marriage with one Mamta Sharma.

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 allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that the complainant does not want to reside in her matrimonial house with her husband and her in-laws. Learned counsel further submits that petitioner is still ready to keep the complainant with full honour and dignity. 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**. He has no criminal antecedent as mentioned in para 3 of the bail application.

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 Complaint Case No. 348C 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.3,000.00 (Rupees Three Thousand) per month to the complainant in the second week of every month. If the petitioner fails to pay the aforesaid amount on two consecutive months, complainant 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 complainant is directed to furnish the bank account details of the complainant. 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/complainant 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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