

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71023 of 2024

Arising Out of PS. Case No.-95 Year-2020 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Manmohan Mahto @ Man Mohan Mahto S/o Late Indrajeet Mahto @ Indrajit Mahto @ Late Amarjeet Mahto R/o vill - Sakraul, PS- Inarwa, District- West Champaran. Petitioner/s

Versus

1. The State of Bihar
2. Chanda Devi W/o Manmohan Mahto @ Man Mohan Mahto R/o Sakraul, P.S. - Inarwa, Distt. - West Champaran, Presently R/o vill - Pipra Bhawanipur, P.S.- Serwa, Distt. - Parsa, Nepal

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Umesh Kumar Gupta, Advocate
For the State	:	Mr. Dilip Kumar No.1, APP
For the O.P. No.2	:	Mr. Sharad Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-10-2024 Heard Mr. Umesh Kumar Gupta, learned counsel for the petitioner, Mr. Dilip Kumar No.1, learned APP for the State and Mr. Sharad Kumar Verma, learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no2., 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. He is still ready to keep her with full honour and dignity. Learned counsel for the petitioner further submitted that petitioner is ready to make payment of Rs. 3,000/- (Rupees Three Thousand) in second week of every succeeding month in the bank account of opposite party no.2 as per the details furnished by her counsel in the learned Court below.

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.95 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. It goes without saying that the aforesaid payment shall be subject to any order being passed in



matrimonial, maintenance or any other collateral proceedings.

7. The present order, in any way, will preclude the parties to resolve the issue otherwise.

8. It is made clear that if the petitioner fails to make payment on three consecutive dates, the learned court below will be at liberty to cancel the bail bond of the petitioner.

9. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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