

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70086 of 2023

Arising Out of PS. Case No.-539 Year-2023 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Deepak Bharti Son Of Asheshwar Sahni Resident Of Village - Khaje
Mohammadpur Tole Farakawa, Ps- Karaja, Distt- Muzaffarpur

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Pratibha Kumari Wife Of Deepak Bharti Resident Of Village - Dhanupara,
Ps- Saraura Jaitpur Op, Distt- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No. 2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 498A of the Indian
Penal Code and Section.

3. Petitioner, who is husband of complainant, is said to
have ousted her from the 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.

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. 539 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

6. Petitioner is ready to pay Rs.5000.00 (Rupees Five 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 O.P. No. 2 is directed to issue 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 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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