

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81938 of 2023**

Arising Out of PS. Case No.-1004 Year-2022 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

=====

AMISH KUMAR @ SUMIT @ MAUNI @ AMISH MALLICK @ SUMISH KUMAR son of Awadhesh Prasad Village- Daruara Ps- Noorsarai Dist- Nalanda at present R/o- Nalanda Colony Northern Side near Eastern Side of Bazar Samiti Ram Chandrapur Ps- Laheri Dist- Nalanda At Present Salaspuriya Hall Mark Ground Floor A Block Survey no-15/3, and 16-/5, Kadunishan Halli outer Ring Road Bangalore Salaspuriya stone 3rd floor block B 14P7 Katunishan hali outer ring road Bangalore at Present Mangoliya Park Damariholi Main Road Bright Field Bangalore

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akansha Kumari @ Rolly Kumari wife of Amish Kumar @ Sumit @ Mauni @ Amish Mallick D/o- Sri Vijay Kumar Village- Dabhawan Ps- Bhadaur Dist- Patna at Present House of Suresh Prasad Mohalla Nichali Kila Garhpar College More Baradari Ps- Bihar Dist- Nalanda Biharsharif

... .. Opposite Party/s

=====

**Appearance :**

|                            |                                 |
|----------------------------|---------------------------------|
| For the Petitioner/s :     | Mr.Anil Kumar Singh, Adv.       |
| For the Opposite Party/s : | Mr.Satyendra Narayan Singh, APP |
|                            | Mr.Samir Kumar Sinha, Adv.      |

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      07-03-2024              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 u/s 498A & 494 of the IPC.

3.      Petitioner, who is husband of complainant, is said to have tortured the complainant over 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. 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.1004C/2022, TR No.3866 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 furnish the bank account details of the complainant before the learned Court below. 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)**

pallavi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

