

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26425 of 2024

Arising Out of PS. Case No.-376 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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BAIJNATH SONKAR S/O LATE LALASA PRASAD @ LALASA
SONKAR R/O VILLAGE- TURKMANPUR, NEAR RATHSALA,
GORAKHPUR, P.S- RAJGHAT, GORAKHPUR (U.P.).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANNPURNA KUMARI D/O DILIP KUMAR SAH R/O VILLAGE-
PURAB TOLA, P.S- KAHALGAON, DISTT.- BHAGALPUR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md.Najmul Hodda, Adv.
For the State	:	Mr. Shailendra Kumar, APP.
For the Complainant	:	Mr. Pritish Kumar Lal, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 13-05-2025 The petitioner and the complainant are present along with
their respective counsels in the Chambers proceedings.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 323, 341, 498(A) of
the Indian Penal Code r/w Sections 34, 494 of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

3. The instant case arises out of the complaint filed by the
complainant, wife of the petitioner, alleging therein that there
was demand of dowry and the consequent torture upon her.

4. The matter had been referred earlier to the Mediation
and Conciliation Centre, Patna High Court for resolution of the
disputes between the parties, but the mediation process failed.



5. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are not correct and as a matter of fact, the petitioner has always been ready to take his wife and children along with him and with the same intention, he had also booked his ticket and gone to the house of the complainant to take her along, but it was the complainant who refused to go along with him.

6. Learned counsel appearing for the complainant along with the complainant herself controverts the submissions made on behalf of the petitioner and submits that the petitioner had never gone to the complainant's house to bring her back and as a matter of fact, he had gone only to the railway station and therefore, he never had the intention to take his wife along.

7. After a brief interaction with the parties, it appears that final resolution of disputes between them is not possible at this stage. However, learned counsel for the petitioner makes an offer in presence of the petitioner that he would make the payment of Rs.3500.00/- (Rupees Three Thousand Five Hundred) per month to the complainant in the second week of every month to which learned counsel for the complainant and the complainant herself agrees.

8. Considering the facts and circumstances of the case, 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 four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten 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. 376(c) of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. 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.

10. Learned counsel for the complainant is directed to furnish the bank account details of the complainant in the learned Court below. If the complainant 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. If the petitioner fails to pay the aforesaid amount on two consecutive months, the complainant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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