

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28846 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- BAHERA District- Darbhanga

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Laxman Sahni @ Laxman Kumar Sahani Son of Jhun Jhun Sahani Resident
of - Ashapur, P.S.- Bahera, Dist.- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Buchiya Devi Wife of Laxman Sahni @ Laxman Kumar Sahani Resident of
Ashapur, P.S.- Bahera, District- Darbhanga, Presently Residing at
Jagdishpur, Daughter of Chandra Shekar Sahani, Resident of Village-
Jagdishpur, P.S.- Manigachi, Dist.- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Jha, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Ramchandra Sahni, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 24-03-2025 Heard Mr. Pankaj Kumar Jha, learned counsel for the

petitioner and Mr. Ramchandra Singh, learned counsel
representing the informant as also Mr. Jitendra Kumar Singh,
learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Bahera P.S. Case No. 205 of 2023 for the offence
registered under Sections 498(A), 494 and 34 of the Indian Penal
Code and 3 and 4 of the Dowry Prohibition Act, lodged on
07.05.2023 by the informant, Buchiya Devi.

3. As per the prosecution story, the informant alleged
that she was married to the petitioner on 07.05.2021 but was
tortured for dowry and on 20.04.2023, she was abused and thrown
out. Later, the petitioner solemnized second marriage as such, the
F.I.R.



4. In this case, earlier the matter was sent to the Mediation Centre but as the same could not be materialized, it has come to this Court.

5. Today, as per the order dated 07.02.2025/21.02.2025, the couple is present.

6. This Court had conversation with them and it seems that the marriage has broken down and there is no chance of their coming together.

7. Learned counsel for the petitioner as also the informant jointly submit that now in view of the solemnization of the second marriage, the lady is not ready to compromise with her dignity and wants to get out of this broken marriage. As such, after deliberation, learned counsel submitted that the petitioner is ready to pay one time settlement of Rs.3,00,000/- (Three Lakhs) in six installments of Rs.50,000/- (Fifty Thousand) each address to the lady, Buchiya Devi in next six months beginning April, 2025.

8. Learned counsel for the informant after the conversation with the lady Buchiya Devi agrees to the said offer. The lady has further submitted that she is residing with her parents who are not in a position to financially support. She is illiterate and also want herself to be financially self sufficient. Thus, she may be provided some training support from the State government.



9. The lady shall be opening a fresh account in her name in the **State Bank of India, Manigachi Branch, Darbhanga** and the **Chief Manager, State Bank of India** shall ensure that the same is opened without any unnecessary delay, if the lady comes forward with all the documents essential for opening the Bank Account. Once the lady visits the Bank, the Chief Manager shall ensure that she is not bothered to visit the Bank again and shall depute a staff to visit the place and do the needful without unnecessary delay. This is essential as the first draft of the installment shall come to the lady by **10th of April, 2025** and she may be able to deposit the same in the Account.

10. This Court is conscious of the fact that the lady solemnized marriage with the petitioner, as per the F.I.R. was thrown out, now from today, as she has rightly decided to get out of this marriage, has to be supported on the independent path she has chosen to walk. In that background, it is essential for the government officials also to come forward and take care of her so that she is able to stand on her own feet/support herself financially.

11. Thus this Court directs the **Block Development Officer, Manigachi, Darbhanga** to personally visit the residence of the **informant, Buchiya Devi** where she is staying (**Buchiya Devi**, daughter of **Chandra Shekar Sahani**, Resident of Village-



Jagdishpur, P.S.- Manigachi, District- Darbhanga) in next fortnight and after discussing with her to take appropriate steps by providing appropriate training to her available in the said district in whatever field the lady may show her inclination. If there is any scheme of the government of extending financial support, the same be also extended to her in accordance with law/rules.

12. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Benipur, Darbhanga, in connection with Bahera P.S. Case No. 205 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

13. It is made clear that if the petitioner fails to pay the agreed amount/defaults in making payment, the informant shall be free to take immediate steps for the cancellation of his bail bonds.

14. Let this case come under the heading ‘**To Be Mentioned**’ on **09.05.2025**. **Mr. Jitendra Kumar Singh**, learned APP shall be submitting a report from the **Block Development Officer, Manigachi, Darbhanga** on the steps taken to ensure that the lady stand on her own feet in future.

15. **Let the office send the copy of the order to the Block Development Officer, Manigachi, Darbhanga as also the Chief Manager, State Bank of India, Manigachi, Darbhanga immediately.**

16. The name of **Mr. Jitendra Kumar Singh**, learned APP to appear in the cause list.

(Rajiv Roy, J)

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