

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37169 of 2024

Arising Out of PS. Case No.-382 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Dileep Mukhiya son of Videshi Mukhiya Village- Amtahi, Ps- Sakatpur, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi wife of Dileep Mukhiya, D/o- Paltan Mukhiya Village- Usrar Ps- Rudrapur Dist- Madhubani

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti
For the Opposite Party/s : Mr.Binod Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 01-05-2025 Learned counsels for the petitioner and the opposite party no. 2 are present. However, the parties to the proceedings are not present today and thus, it seems that no settlement can be arrived at between the parties at this stage.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 342, 379, 498A of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

3. Petitioner is the husband of opposite party no.2. The prosecution case is based upon a complaint filed by the opposite party no. 2 in which she has made an allegation of demand of dowry and torture.

4. Learned counsel for the petitioner submits that the



allegations levelled against the petitioner are not correct and as a matter of fact, the petitioner never ousted the complainant from his house and rather went to the house of the complainant on several occasions requesting her to come back with the children but she remained adamant and refused to come back with the petitioner.

5. The application has been opposed by the learned APP for the State and learned counsel for the opposite party no. 2.

6. At this stage, the petitioner offers to give Rs.4000/- (rupees four thousand) per month to opposite party no.2 in the first week of every month. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

7. In such 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 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 Judicial Magistrate-1st class, Jhanjharpur, Madhubani in connection with C.R. No. 382 of 2022, subject to the condition as laid down under Section



438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

8. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party no.2 furnishes the bank account in which the amount can be transferred, and yet the petitioner fails to give the aforesaid amount on two consecutive dates to opposite party no.2, the opposite party no.2 would be at liberty to file cancellation of bail.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

