

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39301 of 2024

Arising Out of PS. Case No.-668 Year-2023 Thana- CHANPATIA District- West Champaran

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Suraj Kumar Ram @ Suraj Kumar Son Of Binod Ram Resident Of Naugava,
Ward No. 06, P.S. - Chanpatia (SIRISIYA O.P.), District - West Champaran -
845450

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chanda Devi Wife Of Suraj Kumar Ram @ Suraj Kumar Presently Resident
Of Village - Naugava, Ward No. 06, P.S. - Chanpatia (SIRISIYA O.P.),
District - West Champaran - 845450

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 06-05-2025 The petitioner and the opposite party no. 2 are
present along with their respective counsels.

2. After a brief interaction with the parties and their
counsels, it appears that they are not ready to settle their
grievances at this stage.

3. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 323, 341,
498A, 379, 504, 34 of the Indian Penal Code and Section 3 and
4 of the Dowry Prohibition Act.

4. By earlier order, the matter had been sent to the
Patna High Court Mediation and Conciliation Centre for
resolution of disputes between the parties. The dispute between



the parties had been resolved through the process of Mediation as per the terms of settlement mutually agreed upon by them. The said report is at 'Flag-M' to this application. Learned counsel for the opposite party no.2 submits that after signing of the conciliation proceedings when she came out, the petitioner left him in the premises and went away but learned counsel for the petitioner submits that the opposite party no.2 was not agreed to go with him.

5. The FIR discloses an allegation of demand of dowry and torture and there are three minor children from the wedlock.

6. Learned counsel for the petitioner submits that the allegations levelled in the FIR are not correct and as a matter of fact, the petitioner has always been ready to keep his wife and his children with due dignity and honour but it is the informant herself who leaves the matrimonial home and goes to her to the house of her parents which is in the same village.

7. The application has been opposed by the learned counsel for the opposite party no. 2 on the ground that the allegations against the petitioner are true and the petitioner is not making an effort to take his wife back.

8. 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.

9. 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 court below where the case is pending/successor court in connection with Chanpattia Sirisiya P.S. Case No. 668 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

10. 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.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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