

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50895 of 2024

Arising Out of PS. Case No.-21 Year-2020 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Surendra Mukhiya @ Sulendra Mukhiya Son of Late Luchai Mukhiya
Resident of village - Bhachhi, P.S. and District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shanichari Devi Wife of Surendra Mukhiya @ Sulendra Mukhiya Resident of village - Bhachhi, P.S. and District - Madhubani. at present address D/o Babloo Mukhiya, R/o Village - Bharaul, P.S.- Bhairav Sthan, District - Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jaishankar Kumar Yadav
For the Opposite Party/s : Mr.Pronoti Singh

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

9 26-06-2025 Heard learned counsel for the petitioner, learned counsel for the informant/opposite party no. 2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 494 and 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of opposite party no2., is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.



4. Learned counsel for the petitioner submits that earlier vide order dated 18.12.2024, the matter was sent to the Patna High Court, Mediation Center for reaching settlement between the parties but the process of mediation has failed.

5. It has been brought to the notice of the Court that in the Maintenance Case filed by the O.P. No.2 vide M.R. Case No.60 of 2021, the Principal Judge, Family Court, Madhubani, vide its judgment dated 16.04.2024 has fixed an amount of Rs.6000/- as maintenance to be given to the O.P. No.2. Today, the learned counsel for the petitioner agrees to make the payment of the said amount of Rs.6000/- per month. It goes without saying that the aforesaid payment shall be subject to any further orders passed in any other collateral proceeding.

6. In such view of the matter, let the above named petitioner, be released on bail 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 S.D.J.M., Jhanjharpur (Madhubani), in connection with Jhanjharpur Complaint Case No.21 of 2020 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to



the further condition that the petitioner shall co-operate in the investigation/trial. If the O.P. 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 O.P. No.2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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