

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51743 of 2024

Arising Out of PS. Case No.-555 Year-2023 Thana- BARUN District- Aurangabad

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AMAN VISHWAKARMA SON OF RAMREKHA VISHWAKARMA
RESIDENT OF VILLAGE - MASTUL, BARUN, P.S. - BARUN, DISTRICT
- AURANGABAD

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. ANUSHKA DEVI WIFE OF AMAN VISHWAKARMA, DAUGHTER OF
RAMNANDAN VISHWAKARMA RESIDENT OF VILLAGE - MASTUL,
BARUN, P.S. - BARUN, DISTRICT - AURANGABAD.AT PRESENT
RESIDENT OF VILLAGE - KUNDA, P.S. - MUFASSIL, DISTRICT -
AURANGABAD

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Singh
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-01-2025 Pursuant to order of this Court, the matter was referred to Mediation & Conciliation Centre of Patna High Court, but the dispute between the parties could not be resolved through the process of mediation and as such, mediation failed (Report kept at flag 'M').

2. Heard learned counsel for the petitioner, the State and the opposite party no.2.

3. The petitioner, who is husband of opposite party no.2, apprehends arrest in a case registered for the offence punishable under Sections 341, 323, 498A of the Indian Penal Code and sections 3 and 4 of the D.P. Act.



4. There is allegation of demand of dowry and ill treatment for non-fulfillment of the same.

5. Learned counsel for the petitioner submits that the petitioner has committed no offence. No such occurrence as alleged has ever taken place. The petitioner is ready to keep the O.P. No. 2 with full honour and dignity. It is lastly submitted that the petitioner offers and undertakes that he is ready to give maintenance amount of Rs. 3,000/- per month, starting from this month, to opposite party no. 2.

6. Learned counsel for the State as well as opposite party no. 2 oppose the prayer for bail. Learned counsel for opposite party no.2 submits that the petitioner being husband of opposite party no.2, in connivance with his family members, subjected her to harassment and cruelty for non-fulfillment of demand of dowry and ousted her from matrimonial house. It is further submitted that she has no means of livelihood and is on the verge of starvation.

7. In view of the undertaking of learned counsel for the petitioner as well as condition of opposite party no.2, in the event of arrest/surrender within a period of eight weeks from today, let the petitioner, above-named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 555 of 2023 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on the following conditions:-

(i) Opposite party no.2. would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.

(ii) Petitioner would deposit the aforesaid interim relief per month in the saving bank account of the opposite party no.2.

(iii) In case, petitioner fails to deposit the aforesaid amount of temporary relief/solace for two consecutive months, the court below would be at liberty to cancel the bail-bond.

(iv) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

Prakash/-

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