

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53940 of 2024

Arising Out of PS. Case No.-504 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Chitranjan Das SON OF GANESH DAS VILLAGE- MATAI, PO- BHORI,
PS- TEKARI, DIST- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. KAVITA DEVI WIFE OF CHITRANJAN DAS VILLAGE- MATAI, PO-
BHORI, PS- TEKARI, DIST- GAYA P/A- VILLAGE- JAMADI, PO-
AERODRAM, PS- CHERKI, DIST- GAYA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan
For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-04-2025 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 323, 498A

of the Indian Penal Code and Section 3/4 of the Dowry

Prohibition.

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. It would appear from the earlier orders that the



matter was sent to the Mediation Center for arriving at an amicable settlement, but however, the Mediation report would go to show that the same has failed. Learned counsel for the petitioner submits that the marriage between the parties was solemnized on 17.04.2013, whereas the present complaint was lodged on 04.04.2022, i.e. after 9 years of the said marriage. He denies the allegations that there was any demand of dowry or torture meted out to the O.P. No.2. Learned counsel for the petitioner has further drawn the attention of this Court to a statement made in paragraph 15 of his application, that he is ready to keep the complainant along with her son with all love and affection and with dignity and honor and actually, it is the wife, who is the O.P. No.2, who does not want to stay with him.

5. At this stage, the petitioner offers to give Rs.3000/- (Rupees Three Thousand) per month to opposite party no.2 in 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.

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., Gaya, in connection with Complaint P.S. Case No. 504 of 2022 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.

7. Learned counsel for the opposite party no. 2, under instruction, submits that opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today.

8. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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