

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56839 of 2024

Arising Out of PS. Case No.-38 Year-2023 Thana- MAHILA PS District- Gopalganj

Pappu Sah S/o Late Badari Sah R/o vill - Mujawna (Mujaun), P.S. -
Manjhagarh, Distt. - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi @ Pinky Devi W/o Pappu Sah R/o vill - Mujawna (Mujauna),
P.S. - Manjhagarh, Distt. - Gopalganj. At present D/o Ramavtar Sah, R/o Vill
- Bhojpurwa, P.S. - Manjhagarh, Distt. - Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 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 341, 323,
504, 498A, 406, 506/34 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 appears from the records of the case that the
matter was sent to the mediation center for an amicable



settlement between the parties, but the report of the mediation center would, however, disclose that mediation has failed. Learned counsel for the petitioner submits that the marriage had taken place two years back and earlier there was no complaint of any demand of dowry or torture and also that he is ready to settle the dispute. Learned counsel for the petitioner also makes a submission that the entire allegation of demand of dowry and torture are not correct.

5. Learned counsel for the Informant/OP No. 2 however, submits that the O.P. No. 2 is ready to go back to her matrimonial household, but it is the petitioner who is not ready to keep her.

6. At this juncture, 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.

7. 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 Sub Divisional



Judicial Magistrate, Gopalganj, in connection with Gopalganj (Mahila) P.S. Case No.38 of 2023 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.

8. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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