

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59151 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- MAHILA PS District- Darbhanga

Niraj Panjiyar Son of Late Ram Narayan Panjiyar Resident of mohalla -
Bakarganj, P.S.- Laheriasarai, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Panjiyar Wife of Niraj Panjiyar D/o Ramesh Mahto, Resident of
Mohalla - Ruhelaganj, Kadirabad, P.S.- L.N.M.U., District - Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha, Advocate
For the Opposite Party/s	:	Mr.Parmanand Prasad, APP
For the Informant	:	Ms. Khusboo Kumari, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 5 16-04-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the complainant.
2. The petitioner apprehends his arrest in connection
with Mahila P.S. Case no.44 of 2024 registered under sections
498A, 341, 323, 354B, 313, 504, 506 and 34 of the Indian Penal
Code.
3. As per the prosecution case, the informant states
that her husband Niraj Panjiyar, the petitioner herein, started to
assault the informant mentally and physically on account of
non-fulfillment of demand of dowry. She further states that
when she was pregnant in the year 2023, her mother-in-law
compelled her for abortion. After this incident, the informant
left her matrimonial house and lived with her parents.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegation of demand of dowry and torture is false and concocted. The petitioner has tried many time to live with her along with her children but it was the informant who never intended to live with them and left their children with the petitioner. Learned counsel further submits that their two children are staying with the petitioner and he is taking all responsibility of his children with regard to their education and other requirements. The petitioner has also filed an informatory petition vide M.R. No. 390 of 2024 before the Chief Judicial Magistrate, Darbhanga, a copy of the same has been annexed as Annexure- P/2 to the petition. He further submits that the petitioner has also filed divorce case vide Matrimonial Case No. 99 of 2024 on 04.05.2024.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2 who submits that there is serious allegation of demand of dowry and torture against the petitioner. The informant further states that the petitioner has never allowed the informant to meet their children. In response, learned counsel for the petitioner submits that the petitioner would not raise any



objection to the informant meeting her children at some intervals.

6. Earlier, the matter had been sent to the Patna High Court, Mediation Centre but the report of the Mediation Centre would show that the same has been failed.

7. At this stage, learned counsel for the petitioner submits that the petitioner makes an offer to pay Rs. 4,000/- to his wife in the second week of every month for her basic requirements along with her children. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceeding.

8. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mahila P.S. Case no.44 of 2024 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, Darbhanga, 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.

9. If the opposite party no. 2 furnishes the Bank account in which the amount can be transferred and yet the petitioner fails to make the aforesaid payment of Rs. 4,000/- on two consecutive dates, the opposite party no. 2 would be at liberty to file cancellation of bail.

(Soni Shrivastava, J)

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