

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64206 of 2024

Arising Out of PS. Case No.-30 Year-2023 Thana- MAHILA THANA District- Begusarai

Sujit Kumar @ Sujit Sah Son of Late Kisundev Sah Village- Badalpura Ps-
Teghra Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakshmi Devi @ Lakshmi Kumari W/o- Sujit Sah, D/o- Sonelal Sah
Village- Daniyalpur W.No-23, Ps- Teghra Dist- Begusrai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Braj Bhusan Poddar, Adv.
For the O.P. No. 2	:	Mr. Arvind Kumar, Adv.
For the State	:	Mr. Pronoti Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 14-05-2025 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 498A, 341, 323, 504, 506/34 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act.

3. By an earlier order, the matter had been sent to the Patna High Court Mediation and Conciliation Centre for resolution of disputes between the parties but the same has also failed.

4. The prosecution case is based upon an FIR filed by the opposite party no. 2 in which she has made an allegation of demand of dowry and torture. Petitioner is the husband of



opposite party no.2.

5. Learned counsel for the petitioner submits that the allegations levelled in the FIR are not correct and as a matter of fact, the petitioner has always been ready to keep the opposite party no.2 with full dignity and honour and it is rather the informant who was not desirous of continuing with the conjugal relationship. It has further been stated that on 09.05.2022, the informant had called her father and had gone to her Maikhe along with all articles and ornaments. Learned counsel for the petitioner further invites the attention of the Court to a supplementary affidavit filed in the present case indicating therein a settlement had been reached between the parties on 10.01.2024 before the Gram Kachahri and the informant had received Rs. 1,00,000/- from the petitioner as an amount for one time settlement and also took away all her article from her matrimonial house. The photocopy of the agreement and the photographs have been annexed to the application as Annexure-P/2.

6. However, learned counsel appearing for the informant controverts the contention made by the learned counsel for the petitioner and does not support the settlement document which has been brought on record by way of



supplementary affidavit.

7. At this stage, the petitioner offers to give Rs.2000/- (rupees two thousand) per month to opposite party no.2 in the 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.

8. In such view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 court below where the case is pending/successor court in connection with Mahila P.S. Case No. 30 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

9. Learned counsel for the opposite party no.2, under instruction, submits that the opposite party no.2 undertakes to provide her bank account details to the petitioner within a period of two weeks from today. If the opposite party 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 opposite party no.2 would be at liberty to file cancellation of bail.

10. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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