

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69463 of 2024

Arising Out of PS. Case No.-126 Year-2023 Thana- RAMGARHWA District- East
Champaran

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Akash Sahani @ Akash Kumar S/o- Ram Pukar Sahani Resident of Village -
Malahi Tola, P.S. - Ramgarhwa, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sharda Devi Wife of Akash Sahani @ Akash Kumar, D/o- Surendra Sahani
Village- Laxmipur Ps- Adapur Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Adv.
For the State	:	Mr. Ram Priya Sharan Singh, Adv.
For the Informant	:	Mr. Vijaya Laxmi Srivastawa, Adv. Mr. Y. Madhavi, Adv.

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 05-05-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498(A), 307, 323,
504, 34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

3. Petitioner, who is husband of informant, is said to have
tortured upon her physically and mentally in association of his
family members over the dowry demand.

4. Vide order dated 17.10.2024, it would appear that
earlier the matter was referred to the Medication Centre, Patna



High Court for resolving the dispute between the parties. The report received from the Mediation Centre, however, discloses that the said mediation between the parties has failed.

5. Learned counsel for the petitioner submits that all the allegations levelled against the petitioner are not correct and as a matter of fact, the petitioner had earlier also taken his wife along with him, but she left the matrimonial house and this is the second time that 498A case has been filed by the informant. It is further submitted that petitioner will neither abscond nor tamper with the evidence rather will cooperate in the investigation.

6. Learned APP for the State and learned counsel appearing for the informant opposes the prayer for anticipatory bail and submits that the informant was forced to leave her matrimonial house by the petitioner and the present case has come out of a fresh cause of action.

7. At this stage, learned counsel for the petitioner makes an offer that the petitioner would make the payment of Rs.3500.00/- (Rupees Three Thousand Five Thousand) per month to the informant in the second week of every month to which learned counsel for the informant agrees.

8. Considering the facts and circumstances of the case, 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 Ramgarhwa P.S. Case No. 126 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. It goes without saying that the aforesaid payment shall be subject to any order being passed in matrimonial maintenance case or any other collateral proceedings.

10. Learned counsel for the informant is directed to furnish the bank account details of the informant in the learned Court below. If the informant fails to furnish the same, the aforesaid amount will be deposited in the learned Court below which will be released in favour of the informant after she furnishes her bank account details. If the petitioner fails to pay the aforesaid amount on two consecutive months, the informant shall be at liberty to move before the learned Court below for cancelling the bail bond of the petitioner.

11. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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