

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79588 of 2024

Arising Out of PS. Case No.-2794 Year-2023 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Pankaj Kumar S/o Lalan Sah R/o Village- Padariya Malikan, P.S.-
Mahammadpur, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aarti Kumari D/o Binod Sah R/o Village- Salempur, P.S.- Piprakothi,
District- East Champaran

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Nityanand

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 11-04-2025 Heard learned counsel for the petitioner, learned
counsel for the complainant/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 498A, 34
of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition.

3. Petitioner, who is husband of complainant, is said
to have ousted the complainant from her matrimonial home in
association of his family members over the dowry demand.

4. Learned counsel for the petitioner submits that the
petitioner neither demanded any dowry from his wife nor



subjected her to any kind of cruelty and the fact of the matter is that the informant is short-tempered and thus, gets into a quarrel with her husband and the family members. Further, learned counsel for the petitioner has also stated in paragraph 10 of his petition that he is ready to settle the dispute and it is for this reason that the matter had been sent to the Patna High Court Mediation Center for amicable settlement of the disputes but however, the report of the Mediation Centre between the parties would show that the same has failed.

5. Learned APP for the State and also the learned counsel for the complainant oppose the prayer for anticipatory bail.

6. 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.

7. However, considering the nature of allegations and also considering the petitioner's willingness to settle the dispute, 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 Judicial Magistrate, 1st Class, Motihari, East Champaran, in connection with Complaint P.S. Case No. 2974 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. 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 by submitting the same on affidavit before the learned Court below.

(Soni Shrivastava, J)

sharun/-

U		T	
---	--	---	--

