

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17766 of 2019

Arising Out of PS. Case No.-150 Year-2016 Thana- ARIYARI District- Sheikhpura

Rajesh Chaudhary aged about 35 years, Son of Indar Choudhary, Resident of Village - Teldih, P.S.- Ariyari , Distt.- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi aged about 25 years, Wife of Rajesh Chaudhary, Resident of Village - Teldih, P.s.- Ariyari, Distt.- Sheikhpura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 01-10-2019 Heard learned counsel for the petitioner and learned counsel appearing for the State as well as O.P. No.2.

The petitioner apprehends his arrest in connection with the Ariyari P.S. Case No. 150 of 2016 registered under Sections 341, 323, 504, 498(A) of I.P.C and $\frac{3}{4}$ of Dowry Prohibition Act.

The allegation against the petitioner is that the marriage of the O.P. No.2 i.e. the informant was solemnized with the petitioner in the year 2013. After sometime the petitioner and his family members started demanding a sum of Rs. 2 lacs as dowry. It has further been alleged that due to non-fulfillment of the demand of dowry, the petitioner and other family members tortured the informant physically as well as mentally.

The matter was referred to mediation center for exploring



the possibility of amicable settlement between the parties but as per learned mediator's report dated 25.09.2019, it appears that the dispute between the parties could not be resolved through the process of mediation.

However, during hearing of this application today, learned counsel for the petitioner offers to pay a sum of Rs. 2,000/- per month to the O.P. No. 2 as living cost without prejudice to his right and contention.

Offer made by the petitioner has been accepted by learned counsel appearing for the O.P. No.2.

Having regard to the submission made by the parties and taking into consideration the same, I am inclined to grant anticipatory bail to the petitioner, subject to the condition that a sum of Rs. 2,000/- shall be paid by the petitioner in the bank account of the O.P. No.2 regularly starting from 1st of October, 2019 and the amount must be deposited in the bank account of the O.P. No.2 by 7th day of every month.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheikhpura in connection with



Ariyari P. S. Case No. 150/2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Learned counsel for the Opposite Party No. 2 submits that the bank account of the informant will be provided to learned counsel appearing for the petitioner within a week.

It is made clear that the amount of Rs. 2,000/- shall be deposited by the petitioner in the bank account provided by the O.P. No.2 and a proof thereof for the month of October shall be attached at the time of furnishing bail bond by the petitioner.

It is also made clear that aforesaid amount paid by the petitioner shall be subject to the final outcome of the matrimonial case or the maintenance case lodged by the parties.

In case, if the petitioner deviates from his promise and fail to deposit a sum of Rs. 2,000/- per month in the bank account of O.P. No.2, O.P. No.2 shall be at liberty to move an appropriate application before an appropriate court of law.

(Anil Kumar Sinha, J)

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