

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17622 of 2019

Arising Out of PS. Case No.-333 Year-2018 Thana- RAJIVNAGAR District- Patna

Ravi Bhushan Singh Son of Late Yamuna Prasad, Resident of South Chitra
Gupt Nagar, P.S.- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 08-08-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Rajeev Nagar P.S. Case No. 333 of 2018, registered under Sections 498(A)/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The allegation against the petitioner, as per FIR, is that the informant has entered into marriage alliance with the petitioner on 09.12.2016 according to Hindu rites and rituals. It has further been alleged that from the day one family members of the petitioner used to torture the informant mentally and physically for dowry. It has further been alleged that the husband of the informant is living with another girl, at this place of posting i.e. Chandrapur, Maharashtra.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated on a concocted story, he further submits that the allegation against the petitioner is general and omnibus in nature. He further submits that the allegation that petitioner is living with another lady is not correct, there is no evidence to show that petitioner has married with another girl.

On the other hand, learned counsel for the informant submits that petitioner used to torture the informant mentally and physically from the very beginning and relying upon the rent agreement filed along with the counter affidavit filed by the informant, which is Annexure-2 to the same, it has been stated that the petitioner has taken a flat on rent in Chandrapur, Maharashtra, in which he has declared one Sweta Ranjan as his wife, her proof has also been produced by the petitioner to the flat owner. Accordingly, the very fact that the petitioner is living with another lady, goes to show that the petitioner tortured the informant mentally. It appears that matter was referred in Mediation Centre and despite the effort made by the learned Mediator, the mediation has failed between the parties.

Further, during course of the argument, learned counsel for the petitioner submits that petitioner is ready to pay



a sum of Rs. 15,000/- per month to the informant, which will start from 01.09.2019 with an undertaking that every month the petitioner shall pay the amount between 7th to 10th day of every month in the joint account of father and mother of the informant, the account details are as follows:

Bank Name: Bank of India
Account No. 4437 1011 0003 446.
Branch: Ashiana Ram Nagari, Patna

The offer made by the petitioner has been accepted by the informant.

Accordingly, in view of the aforesaid offer made by the petitioner, let the petitioner be released on anticipatory bail subject to the condition that the petitioner will pay the amount in question regularly every month till final order if any passed in the maintenance proceeding or divorce proceeding, lodged by the parties concerned.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of six weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Patna in connection with Rajeev Nagar P.S. Case No. 333 of



2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

It is made clear, the petitioner at the time of his surrender, will annex proof/acknowledgment of payment of above-mentioned amount of Rs. 15,000/- to informant for the month of September, 2019 along with surrender petition. In case the petitioner fails in making payment of Rs. 15,000/- in the bank account provided by the informant every month, the informant will be at liberty to file an appropriate application before the court below for cancellation of bail.

(Anil Kumar Sinha, J)

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