

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22036 of 2019**

Arising Out of PS. Case No.-1447 Year-2016 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Deepak Kumar (male), aged about 28 years, Son of Kedar Sahni, Resident of  
Village- Ajgarwa, P.S.- Banjariya (Turkaulia), District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sima Devi (female), aged about 25 years, Daughter of Harendra Sahni,  
Resident of Village- Raushanpur Sapna, P.S.- Sugauli, District- East  
Champaran.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ansul, Adv.  
For the Opposite Party/s : Mr. Murli Dhar, APP.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

6      20-09-2019                      The petitioner apprehends his arrest in connection  
  
with the Complaint case no. C-1447 of 2016 in which  
  
cognizance under Section 498A of the IPC has been taken.

The allegation against the petitioner is that as per the  
complaint that the marriage of the complainant was solemnized  
with the petitioner on 08.06.2015. It has further been alleged  
that at the time of marriage the father of the complainant gave  
cash and gifts to the petitioner best to his capacity and when the  
complainant went to her matrimonial home, she lived peacefully  
for sometime, however, subsequently the petitioner along with  
the other co-accused persons started demanding motorcycle as



dowry and due to non-fulfillment of said demand the petitioner treated the complainant with cruelty and tortured physically as well as mentally.

Mr. Ansul, learned counsel appearing for the petitioner submits that without prejudice to right and contention the petitioner is ready to pay a sum of Rs. 3,000/- per month to the complainant, subject to the final outcome of the matrimonial case or maintenance case filed by her.

Offer made by the petitioner is accepted by learned counsel appearing for the complainant, O.P. No.2.

Learned counsel for the Opposite Party No. 2 submits that the bank account of the complainant will be provided to learned counsel appearing for the petitioner by Tuesday i.e. 24.09.2019.

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. 3,000/- per month shall be paid by the petitioner in the bank account of the O.P. No.2 positively subject to the final outcome of matrimonial case or maintenance case filed by the parties.

Accordingly, the petitioner, above named, in the



event of arrest or surrender before the learned Court below within a period of six 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 Ms. Priti, learned JM. Ist Class, East Champaran, Motihari, in connection with Complaint Case No.C-1447 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

It is made clear that the aforesaid amount of Rs. 3,000/- shall be paid regularly by 7<sup>th</sup> day of each month starting from 1<sup>st</sup> October, 2019 in the bank account of O.P. No.2.

In case, if the petitioner deviates from his promise and fail to deposit a sum of Rs. 3,000/- 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)**

Anjula/-

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