

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.888 of 2019

Arising Out of PS. Case No.-2494 Year-2016 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Shiv Shankar Kumar , S/o Sri Jay Mangal Das, Resident of Sahpur Chakumar,
P.S-Mahua, District-Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjana Kumari, w/o Shiv Shankar Kumar, D/O Shiv Kumar, Resident of
Village-Helalpur, District-Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 19-07-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 2494 of 2016, disclosing

offences under Sections 498A/34 of the Indian Penal Code and

Section 4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be

the husband of the informant that for the demand of dowry

assaulted and subjected her to cruelty and lastly by snatching

her ornaments ousted her from the house.

On appearance of the opposite party no.2, the matter

was referred to the Patna High Court, Mediation and

Reconciliation Center, vide order dated 16.04.2019 and the

mediator's report kept at flag 'A' which disclosed that mediation



failed despite the best and sincere efforts made by the mediator.

Submission of learned counsel for the petitioner is that he is still ready to keep her with dignity and care. Further submission is that he is unemployed.

On the other hand, learned counsel for the opposite party no.2 has also submitted that she is residing in her Maiké since 2016 and up till now no any single penny has been paid towards her maintenance by the petitioner. Considering the cruelty meted out to her, she is not ready to reside with him and at least she may be given some amount for her maintenance. It has also been submitted that petitioner is working as a Compounder and his father is also a Doctor.

Having heard both sides, in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below within a period of six weeks and on surrender, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M. Vaishali at Hajipur, in connection with Complaint Case No. 2494 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he is to pay Rs.3000/-



per month to the opposite party no.2 for a period of one year and during that, it is expected that opposite party no.2 shall approach the Family Court for grant of maintenance, if such an application is filed, petitioner is directed to co-operate in disposal of the same.

With the above observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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