

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31351 of 2019**

Arising Out of PS. Case No.-428 Year-2018 Thana- NAWADAH COMPLAINT CASE  
District- Nawada

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KUMAR DEEPAK S/o Late Deoki Ram R/o village- Garhi, P.S.- Nardiganj,  
District- Nawada. At present resident of Dobhrapar (Renter in house of Pandit  
Jee), P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anisha Sinha D/o Shivbalak Rajbanshi R/o Terariya, P.S.- Meskour, District-  
Nawada

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate  
For the Opposite Party/s : Mr.Sanjay Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      05-08-2019                      Heard learned counsel for the petitioner and learned  
  
counsel representing the complainant as also the APP for the  
  
State.

The petitioner in the present case is seeking  
anticipatory bail in connection with Complaint Case No. 428 of  
2018 in which cognizance has been taken for the offence  
punishable under Section 498(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that on  
perusal of the complaint petition as contained in Annexure '1'  
to the present application it would appear that according to the  
complainant, after solemnization of marriage instead of going to  
her Sasural she had gone to her Naihar to stay. Learned counsel



submits that in fact the complainant was insisting upon the petitioner to stay with her in her Naihar which led to the present matrimonial dispute.

It is further submitted that in course of mediation the complainant had been looking for one time settlement at a sum of Rs. 15 lakhs for her and her minor daughter but the petitioner was unable to pay the said amount in want of money. The petitioner is said to have offered a sum of Rs. 5 lakhs in cash to complainant and further a sum of Rs. 5,000/- per month for the daughter but that did not yield a compromise.

Learned counsel for the complainant submits that the petitioner has solemnized a second marriage and for that reason he is not taking care of the complainant and his minor daughter who are compelled to live at the father's place of the complainant. The father is also said to be a retired person.

At this stage, learned counsel for the petitioner submits on instruction that the petitioner is ready and willing to pay a sum of Rs. 10,000/- (ten thousand) per month to take care of the grievance of the complainant, if any, at this stage.

In the given facts and circumstances of the case, considering the nature of allegations and the fact that there is a minor daughter, dispute which has not been resolved even in



course of mediation but the parties are looking for one time settlement, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be enlarged on bail in connection with Complaint Case No. 428 of 2018 on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of Sri Bimlesh Kumar, Judicial Magistrate Ist Class, Nawada, subject to the condition that in terms of his own offer he will keep on depositing a sum of Rs. 10,000/- by the 15<sup>th</sup> day of every month in the bank account of the complainant which will be provided to the petitioner within one week from today. This will be in addition to the condition as laid down under Section 438 (2) of the Cr.P.C.

In case of any default in payment of the aforesaid amount of Rs. 10,000/- per month in the account of the complainant, she may file an application for cancellation of bail bond of the petitioner.

This application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

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