

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32713 of 2019

Arising Out of PS. Case No.-626 Year-2018 Thana- HAJIPUR District- Vaishali

SUDHIR KUMAR RAI @ SUDHIR KUMAR Son of late Kameshwar Rai
Resident of Village - Kashipur, P.S.- Rajapakar, Distt - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anshu Rani D/o Om Prakash Yadav, Wife of Sudhir Kumar Rai @ Sudhir Kumar Resident of Village - Kashipur, P.S.- Rajapakar, Distt - Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N. K. Agrawal, Sr. Advocate. Mr. Dhananjaya Nath Tiwari, Advocate. Ms. Preety Kunwar, Advocate.
For the State	:	Ms. Akbar Ali, APP.
For the Informant	:	Mr. Amrendra Kumar Pathak

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 14-11-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Sections 498A, 307, 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Petitioner who happens to be husband of the opposite party no.2 tormented her over dowry demand and tried to set her ablaze by pouring petrol and finally drove her out of her marital house snatching her belongings over said demand in association of his family members.

It is submitted by learned counsel for the petitioner



that no such occurrence as alleged ever took place. Petitioner has been falsely implicated in the case. He neither made any dowry demand nor ever tormented the opposite party no.2 nor drove her out of her marital house. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Albeit reconciliation between the parties stood failed before the Patna High Court Mediation Centre but learned counsel for the petitioner submitted that he is ready to pay Rs.4,50,000/- to the opposite party no.2 in full and final settlement of the case as one time settlement. Hence he may be enlarged on bail.

Learned Counsel for the opposite party no.2 raised no objection in granting bail to the petitioner on aforesaid terms and submitted that the opposite party no.2 shall withdraw all the cases lodged against the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on 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., Vaishali at Hajipur in connection with Town Hajipur P.S. Case No. 626 of



2018, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

Petitioner is directed to make payment of Rs. 4,50,000/- to the opposite party no.2 in four installments, of which first installment of Rs. 1,50,000/- will be paid to her by demand draft within one month from the date of this order and rest Rs. 3,00,000/- will be paid to her in three equal installments of one month each by demand draft and in case of default of payment of aforesaid amount by the petitioner, learned lower court shall be at liberty to cancel the bail bond of the petitioner.

(Prakash Chandra Jaiswal, J)

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