

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36946 of 2019

Arising Out of PS. Case No.-518 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

=====

Santosh Kumar, Son of Gorelal Yadav Resident of Village - Goddhoba, P.S.-
Muffasil, Dist.- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bindo Devi @ Binda Devi Wife of Santosh Yadav Resident of Village -
Godhoba, P.S.- Muffasil, Dist.- Nawada, At Present Daughter of Sakal
Yadav Resident of Village - Therasarai, P.S.- Warsaliganj, Dist.- Nawada.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajeev Nayan
For the Opposite Party/s : Mr.Prem Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-10-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Complaint case No.518 of 2017, in which cognizance under
Section 498(A), 379, 34 of the I.P.C. has been taken against the
petitioner.

The allegation against the petitioner is that the
marriage of the complainant was solemnized with the petitioner
about four years back. It has further been alleged that after
some time, the petitioner and his family members started
demanding of Rs.50,000/- as a dowry from the complainant and



her family members, out of which Rs.20,000/- was paid by the father of the complainant and for non-payment of Rs.30,000/-, the complainant was being tortured mentally and physically.

The matter was referred for Mediation before the Patna High Court Mediation Centre, but it appears that mediation between the parties have failed. However, without prejudice to the rights and contentions of the petitioner, learned counsel for the petitioner submits that petitioner is ready to pay a sum of Rs.3,000/- per month in favour of the complainant, subject to the final outcome of matrimonial or maintenance case filed between the parties, if any. The said amount shall be paid by the petitioner in the bank account of complainant-opposite Party No.2, account number of which will be provided by learned counsel for the complainant to learned counsel for the petitioner within ten days.

In view of the aforesaid, let the petitioner be released on anticipatory bail, subject to the condition that he will be paying a sum of Rs.3,000/- per month positively in the bank account of the complainant starting from November, 2019 onwards.

It is made clear that the aforesaid amount shall be paid by the petitioner in the account of the complainant by 10th day of



every month positively.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of six weeks from today and in the event of surrender by him, he 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 learned Sub-Divisional Judicial Magistrate, Nawada, subject to the aforesaid terms and conditions.

It is made clear that at the time of surrender, the petitioner will attach a proof of making payment of a sum of Rs.3,000/- for the month of November,2019 in the account of complainant along with his surrender-cum-bail application.

Is is also made clear that if the petitioner deviates from terms and conditions of the bail as aforesaid, the Opposite Party No.2 shall be at liberty to prefer an appropriate application before an appropriate Court of law.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

