

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50160 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- SARAIYA District- Muzaffarpur

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1. JEEVENDRA KUMAR Son of Shankar Mishra Resident of Village - Gopinathpur Dokara, P.S.- Saraiya, Dist.- Muzaffarpur.
 2. Satyendra Kumar @ Satyandra Kumar Son of Shankar Mishra Resident of Village - Gopinathpur Dokara, P.S.- Saraiya, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikki Kumari W/o Jeevendra Kumar Resident of Village - Gopinathpur Dokara, P.S.- Saraiya, Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Dinesh Singh
For the O.P. No. 2 : Mr. Shashi Bhuhan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-12-2019 Heard learned Counsel for the petitioners, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Saraiya Police Station Case No. 149 of 2019, disclosing offences under Sections 498-A/341/342/447/323/307/34 of the Indian Penal Code.

The petitioner no. 1 is the husband of the Opposite Party No. 2 and petitioner no. 2 is the brother of petitioner no. 1.



The allegation against the petitioners is that the marriage of Opposite Party No. 2 was solemnized with the petitioner no. 1 on 02.06.2017 and it has further been alleged that after the marriage, the accused persons started demanding one four-wheeler vehicle from the Opposite Party No. 2 and her family members and due to non-fulfillment of the demand, the Opposite Party No. 2 was being tortured, physically and mentally, by the accused persons, including the petitioners.

Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and all family members of the petitioners have falsely been implicated in the present case.

It appears that the matter was referred to the Patna High Court Mediation and Reconciliation Centre for settlement, but the same has failed, as would be evident from the report of learned Mediator.

However, learned Counsel for the petitioners, without prejudice to their right and contention, offers to pay a sum of Rs. 4,000/- per month as monthly maintenance to the Opposite Party No. 2, which has been awarded by the Family Court in Maintenance Case No. 181 of 2016, on 25.11.2019.

Learned Counsel for the Opposite Party No. 2, on



instructions, accepts the offer made by the petitioners and agrees to provide the bank account number of the Opposite Party No. 2 to the petitioners within a period of 10 days from today in order to enable the petitioner no. 1 to transfer the maintenance amount of Rs. 4,000/- per month directly in the bank account of the Opposite Party No. 2.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the offer made by the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, West, Muzaffarpur, in connection with Saraiya Police Station Case No. 149 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that a sum of Rs. 4,000/- shall be



paid by the petitioner no. 1 in the bank account of Opposite
Party No. 2 every month, starting from December, 2019.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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