

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76951 of 2018

Arising Out of PS. Case No.-1989 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Pappu Kumar, Son of Late Rabindra Pandit, resident of Village- Bastijalal,
Police Station- Dighwara, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakshmi Kumari, wife of Pappu Kumar, resident of Village- Bastijalal,
Police Station- Dighwara, District- Saran at Chapra. At Present D/o Badri
Pandit, Resident of Mohalla- Chauhatta Chhipi Tola, P.S.- Hajipur Town,
District- Vaishali at Hajipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate
For the Opposite Party/s : Mr. Sri Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-06-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No.1989 of 2017 disclosing

offences under Sections 498A, 406, 379, 323 of the Indian Penal

Code and Section 3/4 of Dowry Prohibition Act.

Allegation as per complaint petition against the

petitioner is of demand of motorcycle and colour T.V. due to

non-fulfillment of said demand, she was subjected to torture

with cruelty and ousted from her matrimonial house.

Submission of the learned counsel for the petitioner is

that the whole allegation is false and concocted. He is still ready

to keep her with dignity and care. It further appears from the



perusal of the record that on appearance of opposite party no.2, the matter was referred to the Patna High Court Mediation & Reconciliation Center, but the report at Flag “Q” disclosed that the mediation failed. He further submitted that opposite party no.2 is not ready to reside with the petitioner.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has submitted that due to torture she is not ready to reside with the petitioner and she is ready to one time settlement. Further submission is that she has not been given any maintenance by the petitioner till date.

Having heard both sides, considering the above submission, this application is disposed of with the condition that if the petitioner is ready to pay Rs.5000/- per month to the opposite party no.2, he may surrender before the trial court and on that, the trial court shall release him 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 A.C.J.M.-XIV, Vaishali at Hajipur, in connection with Complaint Case No.1989 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with further condition that he shall continue to pay Rs.5000/- per month to the opposite party no.2 for a period of one year and



during that period, it is expected that the opposite party no.2 shall file a case for maintenance before the Family Court, Vaishali at Hazipur, the petitioner shall co-operate in disposal of the same and the petitioner shall abide by any interim or final order passed by the Family Court.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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