

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71583 of 2019

Arising Out of PS. Case No.-546 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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VIKASH PRAKASH Son of Jai Prakash Singh Resident of Village - Dhelwa
Ward No.30, P.S.- Ram Krishna Nagar, Distt.- Patna. At present Working as
Deputy Manager, State Bank of India, Regional Business office , Darbhanga,
P.S.- Laqhariya Sarai, distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Simran Raj @ Jhanjhan W/o Vikash Prakash, D/o Ramesh Prasad Resident
of Village - Banarsi Ghat Ward No.15, P.S.- Barh, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 05-03-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 546(C) of 2019 for the offence
punishable under Sections 498A of the Indian Penal Code and
Sections 3 and 4 of Dowry Prohibition Act.

The allegation is regarding the petitioner, who is
husband of the Opposite party no.2, and other accused persons
having harassed the opposite party no. 2 on account of non-
fulfillment of demand for dowry and had also tried to kill her
and thereafter she was forced to take shelter in her parental



home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has not solemnized marriage with any other girl and he is having a clean antecedent. Nonetheless, it is submitted that the petitioner shall pay a sum of Rs. 5,000/- (Rs. Five thousand) per month by way of maintenance to the opposite Party No.2 for the purposes of seeking the privilege of anticipatory bail.

The learned counsel for the opposite party no. 2 submits that since there is no chance of conciliation at the moment, she would be satisfied with receipt of the maintenance money, however, reserving liberty to exercise her rights in accordance with law.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, subject to payment of a sum of Rs. 5000/- per month, as maintenance to the Opposite party no.2 till the time any order is passed, either in the matrimonial proceedings or in the maintenance proceedings, if any, as also subject to the petitioner filing an undertaking before the learned court of Additional Chief Judicial Magistrate, Barh, Patna in



connection with Complaint Case No. 546(C) of 2019, regarding regular payment of a sum of Rs. 5,000/- per month as maintenance and submitting a demand draft of Rs. 5,000/- in favour of the opposite party no.2 as also subject to such other conditions as may be deemed fit and proper to be imposed by the learned court below.

The petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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