

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10478 of 2020

Arising Out of PS. Case No.-1035 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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SUMAN KUMAR Son of Late Mahendra Malakar Resident of Mohalla -
Holding No. 20 A. Dai Guddu, Mango, P.S. and Post - Azad Nagar,
Jamshedpur, District - East Singhbhum (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pushplata Kumari Wife of Suman Kumar Resident of Mohalla - Holding No. 20 A. Dai Guddu, Mango, P.S. and Post - Azad Nagar, Jamshedpur, District - East Singhbhum (Jharkhand) at present D/O Parasnath Bhagat, Resident of Village - Mukundpur, P.O.- Saidpur Dumra, P.S.- Patepur, District - Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Fakhruddin Ali Ahmad, Ms.Rina Sinha, Advocates.
For the State	:	Mrs.Renu Kumari, APP
For the OP No.2	:	Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 07-07-2021 Heard Mr. Fakhruddin Ali Ahmad, learned counsel
for the petitioner, Mrs. Renu Kumari, Additional Public
Prosecutor for the State and Mr. Sanjay Kumar, learned counsel
for the OP No.2/complainant, through video conferencing.

2. Petitioner apprehends his arrest in connection with
Complaint Case No. 1035/2018 registered for the offence
punishable under Section 498(A) of the IPC.

3. The allegation, as per prosecution case, is that OP
No.2/complainant, Pushplata Kumari was married to the
petitioner in the year 2005 and after some time, the petitioner



and his family members started demanding Rs. 4 Lacs as dowry and due to non fulfillment of the demand, the petitioner and other accused persons tortured her physically as well as mentally.

4. During course of argument, learned counsel for the petitioner submits that without prejudice to the right and contention of the petitioner, he is ready and willing to pay a sum of Rs. 5000/- per month to OP No.2/ complainant as living cost subject to the final outcome of the present case or any other matrimonial disputes/cases pending/decided between the parties.

5. The offer made by the learned counsel for the petitioner has been accepted by the learned counsel for the OP No.2/ complainant subject to the right and contention of OP No.2/ complainant and outcome of any matrimonial case pending against the parties.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the offer made by the petitioner having been accepted by the OP No.2/complainant, I am inclined to grant anticipatory bail to the petitioner subject to the condition that petitioner shall deposit a sum of Rs. 5,000/- per month regularly without fail in the bank account of OP No. 2/ complainant and the bank account no. of



OP No.2 shall be provided to the petitioner by the learned counsel for OP No.2/ complainant within a period of ten days. This amount of Rs. 5,000/- shall be deposited by the petitioner every month in the bank account of OP No.2/ complainant starting from 1st of August 2021.

7. Accordingly, petitioner, SUMAN KUMAR shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1035/2018, subject to the conditions aforementioned and also conditions as laid down under Section 438(2) CrPC.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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