

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10734 of 2020

Arising Out of PS. Case No.-54 Year-2019 Thana- MAHILA P.S. District- Samastipur

PAPPU KUMAR @ PAPPU KUMAR MAHTO Son of Kishandev Mahto
Resident of Village - Nisfi, P.S.- Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sachin Kumar
		Mr. Raj Kumar
For the State	:	Mr. A. L. Pandit
For the O. P. No. 2	:	Mr. Dilip Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 19-03-2021 Heard learned Counsel for the petitioner, learned
Counsel for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Samastipur (Mahila) Police Station Case No. 54 of 2019,
registered for the offences punishable under Sections 498-
A/341/323/504/34 of the Indian Penal Code and Sections 3/4 of
the Dowry Prohibition Act.

The allegation, as per the First Information Report,
is that the marriage of the Opposite Party No. 2 was solemnized
with the petitioner about three years back and after sometime,
the petitioner and other family members started demanding
colour television, washing machine and freeze by way of dowry



and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally and also ousted the Opposite Party No. 2 from her matrimonial home.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 2,500/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case pending between the parties.

Learned Counsel for the informant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 2,500/- per month in the bank account of the informant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within fifteen days from today.

After having heard learned Counsel for the parties



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

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur, in connection with Samastipur (Mahila) Police Station Case No. 54 of 2019.

This is subject to the condition that the petitioner shall deposit a sum of Rs. 2,500/- per month in the bank account of Opposite Party No. 2 positively, starting from 07th April, 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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