

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26390 of 2020

Arising Out of PS. Case No.-3482 Year-2010 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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NAVIN RAI S/O Amirka Rai @ Amerika Rai Resident of Village -
Siswaniya, P.S. - Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Seema Devi W/O Navin Rai, D/O Ramjee Thakur Resident of Village -
Upadhyay Tola, P.S. - Chanpatia, District - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar
For the State	:	Mr. Sakir Ahmad
For the O.P.No. 2	:	Mr. Ajay Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 19-03-2021 Heard learned Counsel for the petitioner, learned

Counsel for the complainant-Opposite Party No. 2 and learned

Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 3482-C of 2010, in which cognizance
has been taken for the offence punishable under Section 498-A
of the Indian Penal Code.

The allegation, as per the First Information Report, is
that the marriage of the Opposite Party No. 2 was solemnized
with the petitioner about seven years back and after sometime,
the petitioner and other family members started demanding
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 Sub Divisional Judicial Magistrate, West Champaran, at Bettiah, in connection with Complaint Case No. 3482-C of 2010.

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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