

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29537 of 2020

Arising Out of PS. Case No.-58 Year-2019 Thana- MAHILA P.S. District- Samastipur

PRALANYANKAR KUMAR Son of Nageshwar Lal Resident of Village -
Pitaunjhiya, P.S. - Mathauri, District - Samastipur. At present Mehta Complex
Rambag Road, P.S. - Mithanpura, District - Muzaffarpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Priti Kumari Wife of Pralanyankar Kumar Daughter of Sushil Mumar Karn,
Resident of Village - Shripur, P.S. - Hathauri, District - Samastipur, At
present Musapur Deeh, Ward No. 3 Kashipur, P.S.- Samastipur - (Naihar) -
At present address, Resident of Mohalla - Mushapur Deeh, Ward No. 3,
Kashipur, P.S.- Samastipur (Muzaf), District - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A.S. Thakur, Advocate
For the Informant	:	Mr. Ranjeet Choubey, Advocate
For the State	:	Mr. Umesha Nand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 15-03-2021 Heard Mr. A.S. Thakur, learned counsel for the

petitioner, Mr. Ranjeet Choubey, learned counsel for the

informant-Opposite Party No. 2 and Mr. Umesha Nand Pandit,

learned Additional Public Prosecutor appearing for the State.

Petitioner apprehends arrest in connection with

Women/Mahila P.S. Case No. 58 of 2019 registered for the

offences punishable under Sections 323, 341, 498A, 504 and

506/34 of the Indian Penal Code and Section 3/4 of the Dowry

Prohibition Act.

The allegation as per the First Information Report is



that the marriage of the informant-Opposite Party No. 2 was solemnized with the petitioner in the year 2017 and after marriage, the petitioner along with other accused persons started demanding Maruti Car as dowry and due to non-fulfillment of the said demand, the petitioner tortured physically as well as mentally to the informant-Opposite Party No. 2 and ousted from her matrimonial home.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the present First Information Report has been lodged in retaliation to the Divorce Case filed by the petitioner bearing Divorce Case No. 242 of 2019. However, learned counsel for the petitioner submits that without prejudice to the right and contention of the petitioner, the petitioner is ready and willing to pay a sum of Rs.7,000/- per month to informant-Opposite Party No. 2 as living cost subject to final outcome of the Matrimonial and/or maintenance case filed by the parties.

On the other hand, learned counsel for the informant accepts the offer made by the petitioner and submits that without prejudice to the right and contention of informant-Opposite party No. 2, the petitioner may be directed to deposit a sum of Rs.7,000/- per month in the bank account of the



informant-Opposite Party No. 2, the account number of which, shall be provided by learned counsel for the Opposite party No. 2 to learned counsel for the petitioner within a period of ten days.

Having regard to the submission made by the parties and taking into consideration the offer made by the petitioner and accepted by the informant-Opposite Party No. 2, I am inclined to grant anticipatory bail to the petitioner subject to the condition that a sum of Rs.7,000/- every month shall be deposited in the bank account of informant-Opposite Party No. 2 by the petitioner positively starting from 1st April, 2021. It is made clear that the amount so deposited by the petitioner shall be subject to the final outcome of the Matrimonial Case and/or maintenance case filed by the parties.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Women/Mahila P.S. Case No. 58 of 2019, subject to the aforesaid condition and further condition as laid down under Section 438(2) of the Code



of Criminal Procedure.

It is made clear that at the time of furnishing bails bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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