

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31479 of 2020

Arising Out of PS. Case No.-1794 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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BHUNESH RAI S/o- Virendra Rai Resident of Village- Mura Harlochanpur,
P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rinki Kumari Wife of Bhunesh Rai Presently residing at her parental home
at Village- Chaktullah, P.S.- Hajipur Sadar, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abu Nasar, Adv. Mr. Ashish Kumar Ranjan, Adv.
For the Opposite Party/s :		Mr. Damodar Prasad Tiwary, APP
For the OP No.2.	:	Mr. Bijay Bhushan, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-04-2021 Heard Mr. Abu Nasar, learned counsel for the

petitioner, Mr. Bijay Bhushan, learned counsel for OP No. 2 and

Mr. Damodar Prasad Tiwary, learned APP through video

conferencing.

2. Petitioner apprehends his arrest in connection with

Complaint Case No. 1794/2019 registered for the offence

punishable under Sections 498(A), 354(B) IPC.

3. The allegation, as per FIR, is that the marriage of

OP No.2 was solemnized with the petitioner on 27.05.2006 and

after some time, petitioner along with other accused persons

started demanding Rs. 1 Lac and a bike and due to non



fulfillment of the demand, petitioner tortured OP No.2 physically as well as mentally.

4. 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. Learned counsel further submits that in order to maintain harmony in the family petitioner is willing to pay Rs. 3000/- per month to OP No.2 by way of living cost subject to the final outcome of matrimonial and maintenance case filed between the parties.

5. Learned counsel for OP No.2 accepts the offer made by the learned counsel for the petitioner without prejudice to the rights and contention of OP No.2. Learned counsel also submits that bank account number of OP No.2 shall be provided to learned counsel for the petitioner within seven days.

Having regard to the submissions made by the parties and taking into consideration that the offer made by the petitioner is acceptable to OP No. 2, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, BHUNESH RAI 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.C1- 1794/2019, subject to the conditions as laid down under Section 438(2) CrPC, and further condition that a sum of Rs. 3000/- shall be paid to OP No.2 every month starting from 15th of April in the bank account of OP No.2.

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

(Anil Kumar Sinha, J)

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