

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34841 of 2020

Arising Out of PS. Case No.-2162 Year-2019 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Shashi Kant Rai, Son of Sunil Kumar Rai, R/o Paranvada, Devi Asthan, Gaya Road, P.S. Nawada, District Nawada At Present R/o Road No. 2, Swarna Rekha Nagar Ketari Bagan, P.S. Namkum, District Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anshuli Kanj, D/o Pawan Kumar Rai, W/o Shashi Kant Rai, R/o Mohalla Balughat, Naya Basti, South of R.N.S. College, P.S. Nagar, District Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Raju Kumar, Advocate
For the State	:	Mr. Mukeshwar Dayal, APP
For O.P. No.2	:	Ms. Anu Priyadarshni, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 19-01-2022 Heard learned counsel for the petitioner, learned APP for the State as well as learned counsel appearing on behalf of opposite party no.2 through virtual court proceedings.

The petitioner apprehends his arrest in Complaint Case No.2162/2019 (Tr. No.3245/19), registered for the offence punishable under Section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner is said to have tortured the complainant physically and mentally for non-fulfillment of demand of additional dowry.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner. It is submitted that the petitioner is ready to settle the dispute through one time settlement. It is further submitted that the petitioner is ready to pay Rs.12,00,000/- (Rupees Twelve Lakhs) to O.P. No.2 in two equal installments and O.P. No.2 is also ready for one time settlement.

Having considered the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East, Muzaffarpur in connection with Complaint Case No.2162/2019 (Tr. No.3245/19), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner is directed to pay Rs.6,00,000/- (Rupees Six Lakhs) to O.P. No.2 at the time of furnishing bail bond as the first installment and thereafter the rest amount, i.e., Rs.6,00,000/- (Rupees Six Lakhs) shall be paid to O.P. No.2 after three months from the date of payment of the first installment. The petitioner is also directed to hand over the



ornaments and clothes to the O.P. No.2.

The learned court below is directed to accept the bail bond of the petitioner after verifying the fact that the petitioner has paid Rs.6,00,000/- (Rupees Six Lakhs) to O.P. No.2 as first installment.

The parties are directed to withdraw all civil/criminal cases, if any, filed against each other except the divorce case after one time settlement.

It is made clear that if the second installment is not paid by the petitioner to O.P. No.2 as per the direction aforesaid, the O.P. No.2 would be at liberty to move before the learned court below for cancellation of bail bond of the petitioner.

(Anjani Kumar Sharan, J.)

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