

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80618 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Satyendra Kumar Rai @ Satyendra Rai Son of Lal babu Rai, Resident of
Mohanpur Dhinraj P.S.- Mahua, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari, wife of Satyendra Kumar Rai @ Satyendra Rai, Daughter of
Ramjanam Rai, Resident of Village- Chaklall @ Baranti, P.s.- Rajapakar
Baranti-OP, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra
For the Opposite Party/s : Ms. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-04-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

The petitioner is apprehending his arrest in a

complaint case wherein cognizance has been taken under

Sections 498(A) and 494 of the Indian Penal Code.

The accusation is of torture for non-fulfillment

of dowry demand, performing second marriage and

ousting the complainant from her matrimonial house.

It is submitted by learned counsel for the

petitioner that the petitioner tried his best to resume the



conjugal life with the complainant but the complainant herself did not want to live with the petitioner since she wanted to perform marriage with another person. Hence, she herself left her matrimonial house.

Learned counsel appearing on behalf of the complainant has submitted that since petitioner has performed second marriage and he used to brutally assault the complainant, hence, the complainant is not in a position to live with the petitioner.

In the alternative, the petitioner is ready to make payment of Rs. 4000/- per month to the complainant by depositing the same in her bank account by 1st week of every month.

The petitioner undertakes that he shall pay the monthly payment of Rs. 4000/- of this month i.e. April, 2022 to the complainant before filing of the bail bonds and from May, 2022, he shall continue making payment of Rs. 4000/- per month by 1st week of every month in the bank account of the complainant.



The learned counsel appearing on behalf of the complainant has accepted the offer of the petitioner and undertakes to provide bank account details of the informant to the petitioner as early as possible.

Considering the aforestated facts, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 Additional Chief Judicial Magistrate, Xth, Hajipur, Vaishali in connection with Complaint Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 4000/- by the petitioner in the account of the complainant.

The aforesaid payments will be subject to any



order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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