

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14301 of 2023

Arising Out of PS. Case No.-685 Year-2019 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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SATYENDRA KUMAR @ PINTU @ SATENDRA KR. Son of Suhawan
Sharma @ Ram sohawan Sharma R/V- Dubha, PS- Sakra, Dist- Muzaffarpur

... .. Petitioner

Versus

1. The State of Bihar
2. Priti Kumari Wife of Satyendra Kr. R/V- Dubha, P.S- Sakra, Dist-
Muzaffarpur at present C/o Shatrughan Sharma, R/V- Helabazar, P.S-
Hajipur Sadar, Dist- Vaishali

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and

learned APP for the State. Although the complainant –

opposite party no. 2 has appeared through her Advocate

namely, Mr. Ashok Kumar Sinha, no one has appeared on

behalf of the complainant to oppose this application.

The petitioner, in the present case, is seeking pre-
arrest bail in connection with Complaint Case No. 685/2019
corresponding to Tr. No. 3104/2022 registered for the
offences punishable under Sections 498A, 323 of the Indian
Penal Code and section 3/4 of the Dowry Prohibition Act. He
has no criminal antecedent as stated in paragraph ‘3’ of the



application.

As per the prosecution story, the complainant has alleged that she was married to this petitioner on 20.11.2017 and in the marriage her parents had given two lakhs and other articles as gift to the petitioner. After marriage her in-laws people asked her to bring one lakhs rupees and when she refused she was threatened that she will be ousted from the house.

Learned counsel for the petitioner submits from the observations of the learned court below itself it will appear that an attempt was taken to resolve the disputes amicably but it could not happen. The parties are now not willing to live together. It is submitted that at this stage in order to show his bonafides the petitioner would pay a sum of Rs. 2000/- per month to the opposite party no. 2 subject to an order of the competent court of law or an amicable settlement, if any, between the parties.

Learned A.P.P. for the State has though opposed the prayer for anticipatory bail of the petitioner but considering the facts and circumstances of the case, this being a matrimonial dispute in which the parties are now at



loggerhead and and they are not in a position to live together, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - IX, Vaishali at Hajipur in connection with Complaint Case No. 685/2019 corresponding to Tr. No. 3104/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that in terms of his statement at the Bar, the petitioner would pay a sum of Rs. 2000/- per month to the complainant – opposite party no. 2



subject to any order to be passed by a competent court on this issue or an amicable settlement which may be reached between the parties. Such amount shall be paid by 10th of every months in the bank account of the complainant – opposite party no. 2, failing which it will be open for the complainant – opposite party no. 2 to move before the learned court below for cancellation of bail bond of the petitioner and the same will be considered as a breach of condition.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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