

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21507 of 2023

Arising Out of PS. Case No.-87 Year-2022 Thana- MAHILA P.S. District- Bhojpur

SANJAY KUMAR RAI @ SANJAY RAI S/O SHRI KASHI NATH RAI
Resident of 108K/20J Gyasuddinpur, Near Pancham Lal School, Transport
Nagar, P.O. and P.S.- Dhoomanganj, District- Prayagraj (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. MADHUBALA KUMARI D/O VINOD KUMAR RAI Resident of Village-
Bazar Samiti, Pal Market, Near Pani Tanki, P.S and District- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar
For the State	:	Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 4 | 13-12-2023 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State. No one appears on behalf of the informant-Opposite Party No. 2.2. The petitioner apprehends his arrest in connection with Ara (Mahila) Police Station Case No. 87 of 2022, dated 15.10.2022, registered for the offences punishable under Sections 498-A/341/323/504/506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.3. The prosecution case, as per the complaint petition filed by the Opposite Party No. 2, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 28.11.2019 and after sometime, the petitioner and other family members started demanding more money by |
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way of dowry and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party 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. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending between the parties.
5. After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is ready to pay a sum of Rs. 5,000/- per month to the Opposite Party No. 2 as living cost, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a



period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Ara, in connection with Ara (Mahila) Police Station Case No. 87 of 2022.

8. This is subject to the condition that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of Opposite Party No. 2 positively, starting from 07th January, 2024 and the petitioner will take the details of the bank account of the Opposite Party No. 2 from the learned Counsel for the Opposite Party No. 2 appearing before the District Court by filing a petition to this effect in this case within one week from today.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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