

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22275 of 2022

Arising Out of PS. Case No.-1443 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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RAJ BAROLIA Son of Roshan Lal Barolia Resident of Mohalla - Lakshmi
Narayan Road Islampur, P.S.- Town, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nutan Kumari Wife of Raj Barolia Daughter of Nand Kishore Prasad,
Presently residing at Court Bazar, Ward No.- 12, Sitamarhi, P.S.- Sitamarhi,
District - Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saket Gupta, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-01-2023 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 1443 of 2018 for the offence
registered under Section 498A of the Indian Penal Code.

As per the prosecution story, the marriage of the
complainant was solemnized with the petitioner herein but was
tortured for dowry which led to the filing of the complaint.

Earlier, the Subordinate Court had directed the
petitioner to pay Rs. 5000/- per month which according to the
learned counsel for the informant was never paid and thus, he
defaulted.



Learned counsel for the petitioner, at the outset fairly submits that he will be diligently paying the amount fixed by the learned Subordinate Court by every 10th of month beginning from February, 2023. The further submission is that of the due amount of Rs. 1,70,000/-, he is handing over Rs. 70,000/- to the learned counsel for the informant in the Court room itself whereas rest of the amount (Rs. 1,00,000/-) will be paid to her in five instalments of Rs. 20,000/- each every month by 10th of that month.

Learned counsel for the informant submits that he will be providing bank account details of the lady to the learned counsel for the petitioner in course of the day.

Taking into account the aforesaid facts as also that he has clean antecedent and now that the case has been filed, the petitioner will have to face the music, this Court is inclined to grant him relief.

However, if the petitioner fails to abide by the terms and conditions that he has agreed to himself i.e. fails to clear the remaining due and/or pay Rs. 5000/- per month by 10th of that month, the complaint shall be free to take recourse to legal remedy for cancellation of his bail.

Let the petitioner, in the event of arrest or surrender



within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sitamarhi in connection with Complaint Case No. 1443 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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