

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22940 of 2023

Arising Out of PS. Case No.-877 Year-2021 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SURYA BASU RAO @ ALOK RAO Son of Late Surya Babu Rao R/V-
Berma Chowk Purani Bazar Narkatiaganj, PS- Shikarpur Dist- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Isha Raj Wife of Surya Basu Rao @ Alok Rao and daughter of Arun Kumar R/V- Berma Chowk Purani Bazar Narkatiaganj, P.S- Shikarpur Dist- West Champaran, at present r/v- Shivganj Ward no. 8 east of Police Station, Station- Shikarpur Dist- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Arvind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State along with the learned counsel for the

informant.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 323, 504, 498(A) of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

Learned counsel for the petitioner submits that the
petitioner being the husband has been falsely implicated in the
present case, it is next submitted that marriage with the
informant was a love marriage which was performed in the year



2018 and out of the wedlock a child was born.

Learned counsel for the informant submits that no doubt, marriage was a love marriage but then after marriage, the petitioner started torturing and demanding dowry from the informant, more particularly, after a child was born.

Learned counsel for the petitioner submits that the matter was referred to the Mediation Center but the Mediation failed but the petitioner is still willing to maintain the informant and the child for which the petitioner will pay a maintenance of Rs. 8,000/- per month commencing from 01.07.2023. Learned counsel next submits that the payment of maintenance of Rs. 8,000/- shall be subject to maintenance being decided by a Court of competent jurisdiction if any.

Learned counsel for the informant on instruction does not oppose the anticipatory bail application of the petitioner.

Learned counsel for the informant submits that the bank account number of the informant shall be Whatsapped on the number of the learned counsel for the petitioner and the learned counsel for the petitioner undertakes to forward the same to the petitioner for making payment as agreed.

Learned A.P.P. for the State and learned counsel for the informant opposes the prayer for anticipatory bail of the



petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Compliant case P.S. Case No. 877 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that in the event if the petitioner fails to pay the amount agreed for two consecutive months, the informant shall be at liberty to file an application seeking cancellation of the bail granted to the petitioner before this Court.

(Satyavrat Verma, J)

HarshPandey/-

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