

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37094 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Vikash Chaudhary Son of Umesh Narayan Chaudhary R/o Loknath Bhawan,
Master Para, Bank Colony, Hirapur, P.S. Dhanbad, District Dhanbad
(Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anshu Kumari Wife of Vikash Chaudhary R/o Loknath Bhwan, Master Para,
Bank Colony, Hirapur, P.S. Dhanbad, District Dhanbad (Jharkhand), at
Present Reside With Her Father Namely Lalan Mistri Chaudhary, R/o Ward
No.13, Gandhi Nagar Bhabua, P.S. Bhabua, District Kaimur at Bhabua.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Tribhuwan Narayan, Advocate
For the State	:	Mr. Mritunjay Kumar Nirala, APP
For O.P. No.2	:	Ms. Kiran Kumari Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-05-2023 Heard both sides.

The petitioner apprehends his arrest in connection
with Complaint Case No.97 of 2021, registered for the offences
punishable under Sections 149, 323, 313, 498(A), 504, 506 and
120(B) of the Indian Penal Code as well as under Sections 3/4
of the Dowry Prohibition Act.

The petitioner, who is husband of O.P. No.2, and other
in-laws tortured O.P. No.2 physically and mentally for non-
fulfillment of demand of additional dowry.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioner is ready to pay Rs.6,40,000/- as one time settlement of their all matrimonial dispute but at present the petitioner has no means and capacity to pay the aforesaid amount to O.P. No.2 (paragraph-3 of the supplementary affidavit). It is submitted that father of the petitioner, namely, Umesh Narayan Chaudhary is posted as Clerk in R.M.S. and he will retire in the month of July, 2024 and thereafter petitioner will pay aforesaid consideration amount, i.e., Rs.6,40,000/- to O.P. No.2 from the retiral benefit of his father (paragraph-4 of the supplementary affidavit). It is further submitted that the petitioner is ready to comply with all terms and conditions which was negotiated between him and O.P. No.2 for one time settlement of their matrimonial dispute.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on **provisional anticipatory bail till October, 2024**, on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each



to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No.97 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The learned court below shall confirm the bail bond of the petitioner after verifying the fact that petitioner has already paid Rs.6,40,000/- to O.P. No.2 in her bank account.

Learned counsel appearing on behalf of O.P. No.2 is directed to furnish the bank account details of O.P. No.2 in the learned court below.

Accordingly, this anticipatory bail application is disposed of.

(Anjani Kumar Sharan, J)

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