

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38253 of 2023

Arising Out of PS. Case No.-913 Year-2021 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

Vikram Singh S/O Satish Singh R/o Village- Karam Chand, Balra, PS. Kudhani, Dist. Muzaffarpur and at present resident of Gurudwara Road , Shyam Batika Colony, Surajpur, P.O. and PS. Surajpur, Dist. Gautam Budh Nagar Greater Noida (U.P.)

... .. **Petitioner**

Versus

1. The State of Bihar
2. Anima Kumari W/O Vikram Singh, D/O Virendra Singh At Present Resident Of Village-Ratanpura, Ps. Motipur, Dist. Muzaffarpur, Mobile No.- 9430217019

... .. **Opposite Party**

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar @ S.K., Advocate
For the State	:	Mr.Manoj Kumar, APP
For the Complainant	:	Mr.Jai Prakash Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner, learned counsel for the complainant and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Trial No. 4063 of 2022 arising out of Complaint Case No. 913 of 2021 registered for the offences punishable under Sections 498(A), 323, 379, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the complainant has alleged that after her marriage with this petitioner, all the



accused persons including her husband started torturing and demanding dowry from her parents and due to non-fulfillment of the alleged demand of dowry she was ousted from her matrimonial house.

4. Learned counsel for the petitioner submits that the complainant has made a flimsy allegation of demand of dowry against him. The allegations are false and fabricated and he deserved privilege of anticipatory bail.

5. On the other hand, learned counsel for the complainant submits that immediately after the marriage the complainant was being tortured for non-fulfillment of demand of dowry and ultimately she has been ousted from her matrimonial house after depriving her of her belongings in November, 2020. It is further submitted that the petitioner has been continuously neglected the complainant and is not taking care of her day to day expenses which is causing further mental agony and it is in the nature of the cruelty upon the complainant.

6. At this stage, learned counsel for the petitioner submits that the petitioner is ready to pay a sum of Rs. 5000/- per month on his own to the complainant towards her expenses subject to any other and further order which may be passed by the competent court in an appropriate jurisdiction. It is



submitted that such amount shall be deposited in the bank account of the complainant every month within first ten days and for this purpose the complainant may provide her bank account details.

7. In view of the aforesaid offer and other circumstances, learned counsel for the complainant does not oppose the prayer for anticipatory bail.

8. Having regard to the submissions noted hereinabove and the offer made by the petitioner, 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 S.D.J.M. (West), Muzaffarpur, in connection with Trial No. 4063/2022 arising out of Complaint Case No. 913 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

9. 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.

10. And further condition that in terms of his own offer the petitioner shall pay a sum of Rs. 5000/- (Five Thousand) per month in the account of the complainant within first ten days of every month subject to any order which may be passed by the competent court in an appropriate proceeding. Breach of this condition shall invite action towards cancellation of bail bond of the petitioner.

11. At this stage, learned counsel for the parties further submit that the learned court below may be directed to send the records to the Mediation Centre attached to the District Court for amicable resolution of the dispute.

12. In the aforesaid view of the matter, this Court directs the learned court below in whose jurisdiction the case is pending send the records to the Mediation Centre attached to the court for taking efforts towards amicable settlement of dispute between the parties.

(Rajeev Ranjan Prasad, J)

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