

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38862 of 2023

Arising Out of PS. Case No.-1466 Year-2021 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

Vikkey Kumar Ram, Son of Matru Ram Resident of village - Japteli, Ward
No.- 02, Jagatpur, Naugachiya, P.S.- Parwatta, District - Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Doli Kumari, Wife of Vikkey Kumar Ram, Daughter of Jyotish Singh,
Resident of village - Bariyarpur, P.S.- Shahkund, District - Bhagalpur
... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ashutosh Kumar, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP
For the O.P. No. 2	:	Mr. Ravi Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

2. The petitioner in the present case is seeking pre-arrest
bail in connection with Complaint Case No. 1466 of 2021
registered for the offences punishable under Sections 323, 498(A)
of the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act, however cognizance has been taken under Sections 323,
498A, 494, 504/34 of the Indian Penal Code. The petitioner has no
criminal antecedent.

3. As per the prosecution story, on 24.11.2019 the
complainant was married to the petitioner whereafter the petitioner
and his family members started demanding Rs.2,00,000/- as dowry
and upon non-fulfillment of the demand of dowry, they tortured



her.

4. Learned counsel for the complainant submits that the complainant and her daughter are being neglected as the petitioner is not even paying the minimum subsistence allowance to the complainant and her daughter.

5. Learned counsel for the petitioner has, at this stage, submitted that to show his bonafides, the petitioner is ready to pay a sum of Rs.4,000/- per month for the present, subject to result of an appropriate proceeding, if any, in connection with the maintenance of the complainant and her daughter and such amount shall be deposited in her bank account within first ten days of every month.

6. Learned counsel for the complainant has, in such circumstance, no objection to grant of pre-arrest bail to the petitioner.

7. Having regard to the submissions noted hereinabove and the offer made by the petitioner to pay a sum of Rs.4,000/- per month for the present and that the complainant has no objection to grant of anticipatory bail on such condition, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Complaint Case No. 1466 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. 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.

9. And further condition that in terms of his own offer the petitioner shall pay a sum of Rs.4,000/- (Rupees Four Thousand Only/-) per month within first ten days of every month in the account of the complainant, subject to any other order which may be passed by a competent court in an appropriate proceeding. Breach of this condition shall invite action towards cancellation of bail bond of the petitioner.

10. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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