

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51796 of 2023

Arising Out of PS. Case No.-198 Year-2022 Thana- COMPLAINT CASE District- Araria

SATISH KUMAR MANDAL @ SATISH KR .MANDAL SON OF SOTI
LAL MANDAL RESIDENT OF VILLAGE- MASUNDA, PS- BARDAHA,
DISTT- ARARIA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. ANJALI DEVI WIFE OF SATISH KUMAR MANDAL @ SATISH KR.
MANDAL RESIDENT OF VILLAGE- TOHAGPUR, WARD NO. 11, PS-
PALASI, DISTT- ARARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Kumar Jha
For the Opposite Party/s	:	Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-12-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 198 of 2022 dated 25.02.2022 registered for the offence punishable under Sections 498 (A), 494, 323, 379 / 34 of the I.P.C.

3. Prosecution case in short is that the petitioner solemnized marriage with the complainant eleven years ago. It is alleged that the petitioner demanded a sum of Rs. 2 Lakh and one motorcycle as dowry and due to non fulfillment of the demand he ousted the complainant from the matrimonial home.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case. He next submits that the petitioner has been dragged in this case due to family feud and the petitioner never demanded any dowry in kind and / or cash. The petitioner is ready to keep the complainant with full dignity and honour. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family the petitioner undertakes to pay a sum of Rs. 5000/- per month to the Opposite Party No. 2 as living cost subject to final outcome of the matrimonial case / maintenance case if any decided between the parties.

5. Learned counsel for the complainant-Opposite Party No. 2 accepts the offer so made by learned counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 5000/- per month in the bank account of the complainant / Opposite Party No. 2 details of which shall be furnished by learned counsel for the Opposite Party No. 2 to learned counsel for the petitioner within ten days from today.

6. After having heard learned counsel for the parties and taking into consideration the materials on record and the fact that the offer made by learned counsel for the petitioner has been accepted by learned counsel for the complainant / Opposite



Party No. 2, as such, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his arrest / surrender before the learned court below within a period of six weeks from today be released on anticipatory bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Complaint Case No. 198 of 2022 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

(i) that the petitioner shall deposit a sum of Rs. 5000/- per month in the bank account of the Opposite Party No. 2 positively by the 7th day of every month starting from the month of January, 2024.

(Anil Kumar Sinha, J)

praful/-

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