

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49711 of 2023

Arising Out of PS. Case No.-1491 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

=====

RAJESH KUMAR BHARTI SON OF LATE SHIV PARSAN RAM
RESIDENT OF VILLAGE- PATESAR, PS- CHAND, DISTT- KAIMUR
(BHABUA)

... .. Petitioner/s

Versus

1. The State of Bihar
2. MADHURI KUMARI WIFE OF RAJESH KUMAR BHARTI RESIDENT
OF VILLAGE- BHABUA WARD NO. 7, PS- BHABUA, DISTT- KAIMUR
(BHABUA)

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Kumar Sunil, Adv
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, APP
For the informant	:	Mr. Tribhuvan Narayan, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-08-2023 Heard Mr. Kumar Sunil, learned counsel for the

petitioner, Mr. Kumar Ranjit Ranjan, learned Additional Public

Prosecutor for the State and Mr. Tribhuvan Narayan, learned

counsel for the complainant.

2. Petitioner apprehends his arrest in connection with

Complaint Case No. 1491/2019 dated 02.12.2019 registered for

the offence punishable under Sections 498(A), 406 of the IPC

and Section 3/4 of Dowry Prohibition Act.

3. As per prosecution case, the complainant got

married to the petitioner on 26th of February 2015 and after two

to three months, she was subjected to cruelty due to non



fulfillment of demand of dowry and ultimately she was made to leave her matrimonial home.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case in order to harass him and the allegation levelled against him is general and omnibus in nature. Even after his best possible efforts, the complainant is not ready to live with her husband (petitioner.) Learned counsel, however, submits that without prejudice to his right and contention, the petitioner is ready to pay a sum of Rs. 8,000/- to the complainant as living cost.

5. Learned counsel for the complainant/OP 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. 8000/- per month in the bank account of the complainant/OP No.2 details of which shall be furnished by learned counsel for the complainant/OP No.2 to the learned counsel for the petitioner within ten days from today.

6. After having heard learned counsel for the parties and taking into consideration the material on record and the fact that the offer made by learned counsel for the petitioner has been accepted by learned counsel for the complainant/OP No.2, I am inclined to grant anticipatory bail to the petitioner.



7. Accordingly, let the petitioner, named above, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Kaimur at Bhabhua in connection with Complaint Case No. 1491/2019, subject to the condition as laid down under Section 438(2) CrPC as well as the following condition:-

1. That the petitioner shall deposit a sum of Rs. 8000/- per month in the bank account of Complainant/OP No.2 positively by 7th day of every month starting from the month of September, 2023.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

