

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.49598 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- MUFFASIL District- West Champaran

AKASH KUMAR GUPTA @ AKASH KUMAR S/O BHARAT SAH @
BHARAT PRASAD RESIDENT OF VILLAGE- MAHAWAT TOLI, WARD
NO.-36, P.S.- BETTIAH TOWN, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

1. The State of Bihar
2. SUNITA DEVI W/O SADHU SHARAN PRASAD RESIDENT OF
VILLAGE- LALGARH, P.S.- BETTIAH MUFFASIL, DISTRICT- WEST
CHAMPARAN
3. SAPNA KUMARI W/O AKASH KUMAR GUPTA @ AKASH KUMAR
D/O SADHU SHARAN PRASAD RESIDENT OF VILLAGE- LALGARH,
P.S.- BETTIAH MUFFASIL, DISTRICT- WEST CHAMPARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the State : Ms.Pronoti Singh
For the informant : Mr. Anant Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 19-08-2023 1. Heard learned Counsel for the petitioner, learned Counsel
for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.
2. The petitioner apprehends his arrest in connection with
Bettiah Mufassil Police Station Case No. 167 of 2023,
registered for the offences punishable under Section 498-
A of the Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act.
3. The prosecution case, as per the First Information Report,



is that the marriage of the Opposite Party No. 3 was solemnized with the petitioner on 06.12.2020 and after sometime, the petitioner and other family members started demanding Rs. 1,00,000/- for purchasing of motorcycle by way of dowry and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 3 physically as well as mentally and also ousted the Opposite Party No. 3 from her 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. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 2,500/- per month to the Opposite Party No. 3 as living cost, subject to the final outcome of the present case as well as the matrimonial case, if any, pending between the parties.
5. Learned Counsel for the informant 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. 2,500/- per month in the bank account of the Opposite Party No. 3, details of which shall be furnished by learned Counsel for the informant to learned Counsel for the petitioner within fifteen 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 informant, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. 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 bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Bettiah Mufassil Police Station Case No. 167 of 2023.
9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 2,500/- per month in the bank account of Opposite Party No. 3 positively, starting from



07th September, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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