

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55087 of 2023

Arising Out of PS. Case No.-324 Year-2016 Thana- BUXAR COMPLAINT CASE District-
Buxar

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SANJAY KUMAR SAH SON OF RISHI MUNI SAH RESIDENT OF
VILLAGE- SATO REWATI, POLICE STATION- NUAON, DISTRICT-
KAIMUR (BHABHUA), AT PRESENTLY RESIDING AT VILLAGE AND
P.O. SHAMBHUWALA P.S. AND TAHSIL NAHAN, DISTRICT-
SIRMAUR (H.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. SANDHAYA DEVI D/O OF MADAN SAH @ NATA SAH RESIDENT OF
VILLAGE AND P.O. KATIKNAR P.S. NAVANAGAR DISTRICT-
BUXAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy
For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-08-2023 Heard Mr. Anil Kumar Roy, learned counsel for the

petitioner, Mr Shailendra Kumar, learned Additional Public

Prosecutor for the State and learned counsel for the

complainant/OP No.2.

2. Petitioner apprehends his arrest in connection with

Complaint Case No. 324(C)/2016 registered for the offence

punishable under Section 498(A) of the IPC and Section 4 of the

Dowry Prohibition Act.

3. As per prosecution case, the complainant got

married to the petitioner in the year 2013 and after some time,



the petitioner along with his family members allegedly, started misbehaving and torturing the complainant in order to fulfill the demand of dowry and due to non fulfillment of the same, she was ultimately, ousted from her matrimonial home and was left at Dumraon Station.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case in order to harass him. The allegation levelled against the petitioner regarding demand of dowry by the complainant/OP No.2 is altogether baseless and unreasonable. Learned counsel, however, submits that without prejudice to his right and contention, the petitioner is ready to pay a sum of Rs. 5,000/- 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. 5000/- 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, Buxar court in connection with Complaint Case No. 324(C)/2016 subject to the condition as laid down under Section 438(2) CrPC as well as the following condition:-

(i). That the petitioner shall deposit a sum of Rs. 5000/- 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)

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