

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73515 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- MAHILA PS District- East Champaran

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RUPLAL RAM @ RUPLAL KUMAR RAM S/O Late Rudal Ram R/O
Village Sahsi Jagirahan, P.S- Pipra, District- East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

2. Anisha Devi W/O Ruplal Ram @ Ruplal Kumar Ram, D/O Kukum Ran R/O
Village- Hindi Bazar, P.S- Motihari Town, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the State	:	Ms. Sangeeta Sharma, APP
For the informant	:	Ms. Shail Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-04-2023 Heard Mr. Anil Kumar, learned counsel for the

petitioner, Ms. Sangeeta Sharma, Additional Public Prosecutor

for the State and Ms. Shail Kumari, learned counsel for the

informant.

2. Petitioner apprehends his arrest in connection with

Motihari Mahila PS Case No. 59/2022 registered for the offence

punishable under Sections 323, 341, 498(A), 494, 504/34 of the

IPC and ¾ of the Dowry Prohibition Act on 17.10.2022.

3. As per First Information Report, marriage of the

petitioner was solemnized with Opposite Party No.2 on

15.11.2015 and out of the said wedlock, two children i.e., a son

aged about three years and a daughter aged about 2 years were

born. It is further stated that the petitioner has allegedly



assaulted and tortured the informant mentally as well as physically due to non fulfillment of demand of dowry by way *Apache* Motorcycle and cash of Rs. 3 Lacs.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. However, without prejudice to the right and contention of the petitioner, the petitioner is ready to pay a sum of Rs. 5000/- per month to the informant as living cost.

5. Learned counsel for the informant submits that the mental torture of the informant is apparent on the basis of the fact that the petitioner has solemnized second marriage with another girl who is also a data operator along with the petitioner and both are earning more than Rs. 50,000/-.

6. Regards being had to the submissions made by the parties and taking into consideration the marital dispute between the parties and the undertaking of the petitioner that he would pay a sum of Rs. 5000/- per month as living cost to the informant, I am inclined to grant anticipatory bail to the petitioner subject to the conditions that the petitioner will pay Rs. 5000/- (five thousand) per month in the bank account of the informant regularly, details of which shall be provided by the informant before the court below at the time of furnishing bail



bond. The amount so deposited shall be without prejudice to the rights and contention of the petitioner in the trial and will depend upon the final outcome of the criminal case and over matrimonial dispute decided between the parties.

7. Accordingly, let the petitioner, RUPLAL RAM @ RUPLAL KUMAR RAM, in the event of arrest or surrender within four 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, Sadar at Motihari, East Champaran in connection with Motihari Mahila PS Case No. 59/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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