

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8017 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- MAHILA P.S. District- Patna

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Aman Srivastav @ Ankur Son Of Sanjay Kumar R/O-A4-303 Provident
Welforth City, Marasandra, Doddatumkur, P.O.-Hesarghatta, Hobli Bangalore
Rural, Karnataka-561203

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nishu Kumar Sriwastava @ Nishu Sriwastava D/O Pramod Kumar
Shiriwastava, W/O Aman Srivastav R/O Brahampur Bazar Near Mahadev
Asthan, P.O And P.S- Phulwari Sarif, Dist.- Patna. Pin- 801505.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

8 22-11-2024 Heard Mr. Krishna Prasad Singh, learned Senior

Counsel for the petitioner, learned counsel for the informant and

learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Mahila P.S. Case No. 90 of 2023, for the
offence under Sections 498A/34 of the Indian Penal Code and
Section 3/4 of the D.P. Act lodged on 07.09.2023 by the
informant, Nishu Shrivastva.

3. As per the prosecution story, the marriage took
place in the year 2022 and the informant was always tortured for
dowry, which led to the F.I.R.

4. Earlier, this Court tried its level best to see to it that



the couple stands united, it seems the young generation has the habit to be in a speed as a result, there is no amicable settlement could take place. For the present, the petitioner has undertaken that he will be paying Rs.5000/- (Five Thousand) to the lady in her State Bank's account no. 442810510001934, Boring Road Branch, by 10th of every month, as he is presently not regularly employed with an assurance that in case, he gets an employment, he will be paying Rs.10,000/- to her.

5. The informant lady is a graduate while the petitioner is an IT Professional, as they don't want to live under one roof, sending the Technical Expert to jail will not solve the matter, he has undertaken to make payment of Rs.5000/- to the lady with further assurance that it will be increased to Rs.10,000/- the day he will join any regular service, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

6. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna, in connection with Mahila P.S. Case No. 90 of 2023, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which, the State shall be at liberty to take steps for cancellation of bail bonds.

7. It is made clear that in case of failure of payment of Rs. 5,000/- as undertaken by the petitioner, the informant lady shall be free to file petition for cancellation of his bail bond.

8. The order of this Court directing the payment of Rs. 5000/- shall merge in the order passed by the competent court in the Maintenance Case. In case, the amount is lesser to



what has been ordered by this Court, the petitioner will not be entitled to realize the amount.

(Rajiv Roy, J)

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