

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16520 of 2024

Arising Out of PS. Case No.-603 Year-2021 Thana- COMPLAINT CASE District- Supaul

GANESH THAKUR SON OF PRAMOD THAKUR RESIDENT OF VIL-
LAGE - BELDARA, P.S. - PIPRA, DISTRICT - SUPAUL, BIHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. RANI DEVI @ RINA DEVI DAUGHTER OF SRI RAMCHANDRA THAKUR RESIDENT OF VILLAGE - BELOKHARA, WARD-5, P.S. - PIPRA, DISTRICT - SUPAUL

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Anand

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-10-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 603 C / 2021 dated 22.10.2021 registered for the offence punishable under Sections 498A, 494 of the I.P.C. and Section 3/4 of the D.P. Act.

3. A complaint was filed bearing Complaint No. 603 / 2021 by the Opposite Party No. 2 / complainant alleging therein that marriage of the complainant was solemnized with the petitioner Ganesh Thakur about three years ago and after marriage the petitioner and his family members demanded dowry of



Rs. 2 lacs and due to non-fulfillment of the demand, the complainant was tortured physically and mentally by the petitioner and other accused persons and on 18.04.2021 the complainant was ousted from her matrimonial home. It is further alleged that the petitioner performed second marriage with one Sunita Devi.

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. The petitioner neither demanded a single farthing from the complainant or her parents nor tortured or assaulted the complainant. The complainant does not want to reside with her in-laws in the matrimonial home and always pressurized the petitioner to live separately but the petitioner being a poor person could not afford separate accommodation nor he can leave his old parents. The complaint petition has been filed by the complainant at the instance of her mother and father. However, without prejudice to the right and contention of the petitioner and in order to maintain harmony in the family, the petitioner undertakes to pay a sum of Rs. 3,000/- per month to the Opposite Party No. 2 as “living cost” subject to the final outcome of the present case as well as matrimonial case and / or maintenance case filed and decided between the parties.



5. Learned counsel for the complainant / Opposite Party 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. 3,000/- per month in the bank account of the complainant / Opposite Party No. 2, details of which shall be furnished by learned counsel for the Opposite Party No. 2 to learned counsel for the petitioner within ten 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 Opposite Party No. 2, I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. 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 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 SDJM, Supaul in connection with Complaint Case No. 603 / 2021 subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following condition:-

- (i) that the petitioner shall deposit a sum of Rs. 3,000/- per month in the bank account of the



Opposite Party No. 2 positively by the 7th day of every month starting from the month of November, 2024.

(Anil Kumar Sinha, J)

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