

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17599 of 2024

Arising Out of PS. Case No.-150 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Amarjeet Kumar Rai @ Amarjeet Kumar Son of Rajkapoor Rai Resident of
vill.-Mohiuddin nagar, Ward No.11, P.S.-Mohiuddin Nagar, Distt.-Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikky Kumari D/O Raju Patel Resident of vill.-Rasalpur Havib, P.O.-
Chandpura Nanhakar, P.S.-Desari, Distt.-Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 31-07-2024 | <p>1. Heard learned Counsel for the petitioner, learned Counsel for the informant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.</p> <p>2. The petitioner apprehends his arrest in connection with Mohiuddinnagar Police Station Case No. 150 of 2023, registered for the offences punishable under Section 323, 341, 498(A), 504, 506 of the Indian Penal Code.</p> <p>3. The allegation, as per the First Information Report, is that the marriage of the Opposite Party No. 2 was solemnized with the petitioner on 25.06.2019. At the time of marriage, gold and silver jewellerys along with other gift items worth Rs. 2,00,000/- was given to the petitioner by informant's father. After sometime of marriage, a two wheeler was</p> |
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demanded from the side of the petitioner and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally.

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. 5,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case pending between the parties.

5. Learned Counsel for the informant-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. 5,000/- per month in the bank account of the informant-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 one week 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 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 Judicial Magistrate1st Class, Samastipur, in connection with Mohiuddinnagar Police Station Case No. 150 of 2023.

9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 5,000/- per month in the bank account of Opposite Party No. 2 positively, starting from 10th August, 2024.

(Anil Kumar Sinha, J)

HarshPandey/-

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